

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA**

ALABAMA STATE  
CONFERENCE OF THE  
NAACP; LEAGUE OF WOMEN  
VOTERS OF ALABAMA;  
LEAGUE OF WOMEN VOTERS  
OF ALABAMA EDUCATION  
FUND; GREATER  
BIRMINGHAM MINISTRIES;  
and ALABAMA DISABILITIES  
ADVOCACY PROGRAM,

Plaintiff,

v.

STEVE MARSHALL in his  
official capacity as Alabama  
Attorney General, WES  
ALLEN in his official capacity  
as Alabama Secretary of State,

Defendants.

Case No. 2:24-cv-00420-RDP

**DECLARATION OF LAUREN BISHOP**

Pursuant to 28 U.S.C. § 1746, I, LAUREN BISHOP, declare as follows:

1. I am a transcriber employed by Planet Depos. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based upon my own personal knowledge. This declaration is submitted to verify the contents of the attached transcripts.

2. On March 4, 2024, I accessed the video footage of the February 28, 2024 meeting of the Alabama House Constitution, Campaigns and Elections Committee from The Alabama Channel website, at <https://alabamachannel.ompnetwork.org/embed/sessions/285921/alabama-house-constitution-campaigns-and-elections-committee>. A true and correct transcript of this meeting is attached as Exhibit A to this declaration.

3. On April 25, 2024, I accessed the video footage of the February 7, 2024 meeting of the Alabama Senate State Government Affairs Committee from The Alabama Channel website, at <https://alabamachannel.ompnetwork.org/embed/sessions/284244/alabama-senate-state-government-affairs-committee>. A true and correct transcript of this meeting is attached as Exhibit B to this declaration.

I declare under penalty of perjury and the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed this 26th day of April, 2024, in Wexford, Pennsylvania.

  
\_\_\_\_\_  
LAUREN BISHOP

# EXHIBIT A



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# Transcript of Alabama House Constitution - Campaigns and Elections Committee Meeting

**Date:** February 28, 2024

**Case:** Transcription Services

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In re:  
ALABAMA HOUSE CONSTITUTION  
CAMPAIGNS AND ELECTIONS COMMITTEE MEETING

RECORDED HEARING  
Wednesday, February 28, 2024

Job No.: 528713

Pages: 1 - 46

Transcribed by: Lauren Bishop

1                   SENATOR GUDGER: So voting is secure,  
2 honest and it knocks down what I call the last leg of  
3 a wave that the bad actors out there are trying to  
4 steal our elections on the local, state and federal  
5 elections. This bill should not be read as a  
6 Republican bill. This bill should not be read as a  
7 Democrat bill. This bill should not be read as an  
8 independent bill. This should be a bill for every  
9 Alabamian to have fair and honest elections. After  
10 doing some research I found a quote that kind of  
11 represented I feel like the encompassed of this bill  
12 and that is the Democratic Republic cannot survive if  
13 election laws allow voters to commit fraud easily.  
14 Right now, you're able to commit fraud easily through  
15 ballot harvesting. We're trying to stop that through  
16 SB1. To be clear, we did not change anything having  
17 to do with disabilities, right? People that are deaf  
18 or blind or veterans. You can get help from anybody  
19 to help fill in your application that you want to and  
20 that was a big deal with everyone that I talked to  
21 her across the state. If someone needed help filling  
22 in their application, they can have help and they can

1 pick and choose whoever they want to, as long as you  
2 sign the application and whoever helped you signed  
3 the application and turn it back in yourself. That's  
4 kind of an overview. I'll stop there. It is a pretty  
5 simple bill, but then I'll be more than happy to come  
6 up later and give final remarks if you want me to.

7 CHAIRMAN BOB FINCHER: Okay. We do and  
8 thank you Senator Gudger. Appreciate that. All right.  
9 We're going into the public hearing. I want to remind  
10 everyone we -- we will have a maximum of six speakers  
11 and y'all have already taken care of that it looks  
12 like. Down here you will have three minutes each.  
13 Cliff, will you keep the time for us and at when two  
14 minutes have passed, Cliff will say one minute and  
15 then when the three minutes is over, he will say time  
16 and your time is up. He will quit addressing the  
17 committee at that point and we will start -- we will  
18 start with -- please turn your phones off. If you  
19 have any electrical devices, please cut them off. We  
20 don't want to interrupt this. Okay? So that would be  
21 appreciated very much. Our first speaker that is  
22 signed up to speak today is Tori Williams. Is it



1 Terri or Tori? Tori. I got it right to start with.

2 Okay. Ms. Williams, would you please begin your  
3 remarks?

4 TORI WILLIAMS: Yes. Good morning. My name  
5 is Tori Williams. I'm an employee with Greater  
6 Birmingham Ministries. We are a faith based,  
7 nonpartisan Social Services advocacy -- and advocacy  
8 organization. We provide voter education and lessons  
9 and Civic engagement among other things to various  
10 communities and populations. One such population is  
11 the incarcerated population. Assisting them with  
12 absentee ballot applications and absentee ballot is a  
13 critical step in maintaining their connection to  
14 society, aiding and smoother re-entry process and  
15 reducing the likelihood of recidivism. Our role in  
16 facilitating their right is not just assistance. Its  
17 restoration of their dignity and a reaffirmation of  
18 their voice in our democracy. To criminalize the act  
19 of aiding these individuals as SB1 proposes is to  
20 misunderstand the essence of democracy itself. The  
21 threat of felony charges for those committed to  
22 democratic engagement is not just disproportionate,

1 it's fundamentally unjust. This bill does not address  
2 voter fraud. It silences the already muted voices of  
3 society's most vulnerable. Thank you for your  
4 opportunity to share my concern.

5 CHAIRMAN BOB FINCHER: Thank you very much.  
6 We will hold any committee comments or questions  
7 until after all the speakers have appeared and so if  
8 you have a question just remember and we'll -- we'll  
9 -- we'll come from there. All right. Is it Armani  
10 Benson? Okay. Would you please come forward and  
11 present your comments on the bill?

12 ARMANI BENSON: Greetings. My name is  
13 Armani Benson. I'm a senior who attends Alabama State  
14 University. I currently hold positions as the  
15 president Pi Sigma Alpha and a member of the NAACP.  
16 College and Civic organizations help young adults  
17 become active within their community and politics.  
18 This is why the SB1 bill cannot be passed. For  
19 obtaining the absentee ballot bill application for  
20 someone else, SB1 will charge the individual with a  
21 misdemeanor, provided absentee ballot assistance for  
22 money who are also constant -- will also constitute a

1 felony. The meaning staff members who facilitate  
2 absentee voting as a part of their job could be  
3 charged with a felony under SB1. If SB1 passed, it  
4 could penalize student organizations, faculty and  
5 staff that facilitate voting and stifle civic  
6 participation on campuses. This bill will have a  
7 negative impact for college students which will  
8 resolve in the decline of young adults voting,  
9 overcrowding in prisons that Alabama and also the  
10 records and lives of many young adults will be  
11 tarnished as if they're criminals. SB1 will also  
12 dismantle the relationship between college students  
13 and our local representatives. All 14 of the  
14 University's partners of the higher education and  
15 partnership have Civic and colleague organizations.  
16 Meaning funding will be cut for those national  
17 organizations of those schools and students, our  
18 lives to be criminalized. Example, if a person is  
19 disabled therefore, he gives the college student gas  
20 money for absentee ballot assistance. He will be  
21 charged with the crime. There are more current issues  
22 now that will have a ripple effect of SB1 is passed.

1 Colleges in Alabama already faced a shortage of  
 2 professor so how would we hired new professor for  
 3 simply doing their job could result in becoming a  
 4 felony. Also, the rate of Alabama state colleges will  
 5 continuously decrease. Finally as a result students  
 6 and faculty being arrested for helping with absentee  
 7 ballots, there's a possibly that alumni and corporate  
 8 funding could decline from these college  
 9 universities. How are you were getting the trust of  
 10 the students and faculties from your Alma Maters?  
 11 Passing SB1 will dismantle the trust and freedoms of  
 12 our constitutional rights as voters and also will  
 13 cause more problems financially and legally and cause  
 14 a decline in college and college voter registration.  
 15 So I ask that you consider -- consider all of these  
 16 causes and effects that will happen if SB1 is passed.  
 17 Thank you for your time.

18 CHAIRMAN BOB FINCHER: Thank you. All  
 19 right. Ashley Griffin. Okay, Ashley.

20 ASHLEY GRIFFIN: Good morning and  
 21 greetings, everybody. My name is Ashley Griffin. I'm  
 22 a 21-year-old political science major from East

1 Lansing, Michigan. I currently serve as the chief  
2 justice for the Student Government Association. I'm  
3 also the president of the National Association of  
4 Blacks and Criminal Justice and also the vice  
5 president of Pi Sigma Alpha with Armani. I'm here to  
6 speak today on SB1. This is the third consecutive  
7 year this bill has been brought up to the legislature  
8 and SB1 would charge people with a felony for simply  
9 receiving someone else's absentee ballot whether you  
10 are a member of a Civic organization, a church or  
11 just to be a volunteer. And this one mainly affect  
12 senior citizens, college students and people with  
13 disabilities and also not only that but voters in  
14 Alabama jails and prisons. My question to everybody  
15 here today is, say you have a disabled college  
16 student that lives on campus, how do you expect them  
17 to be able to go vote if they can't even pay their  
18 friend to take them to go vote or to fill out that  
19 absentee ballot. How -- also not only that, but if  
20 you have a senior citizen who can no longer drive  
21 themselves, how do you expect them to get to their  
22 absentee ballot if they can't even for example, go to

1     their local church and register to vote that way  
2     without it being considered a felony? Do you think  
3     that is valid for someone to have a class C felony  
4     just for helping out their senior citizen at their  
5     local church or for someone to help their friend out  
6     who it can't even assist themselves to go vote? And  
7     how also -- how can we expect these people to still  
8     exercise their right to vote under these limitations  
9     or deliver absentee ballots or currently to those  
10    currently incarcerated in jail or prison who depend  
11    on Civic organizations to deliver their ballots to  
12    the jails and vote? Not to mention, the state of  
13    Alabama already has a backed-up court system and also  
14    overcrowding jails and prisons. Why would we put  
15    people away for felony -- why would we put people  
16    away for felonies when we already have limited  
17    resources that cannot be used and are -- that should  
18    not be used for people who are just simply trying to  
19    exercise their right to vote. I hope you guys think  
20    about all these things when it comes to SB1 and thank  
21    you for your time.

22           CHAIRMAN BOB FINCHER: Thank you, Ashley.

1 Mr. John Wall.

2 JOHN WALL: Gentlemen, I want to start by  
 3 thanking -- gentlemen and ladies, I want to start by  
 4 thanking you for your service. This is a complicated  
 5 issue and I share the concerns of many people about  
 6 the potential for affecting voters. Our priority as a  
 7 state and as a body should be making sure that every  
 8 person's vote is counted, that everyone has the  
 9 ability to vote and that -- and no one's vote is  
 10 tampered with. And I think that's the priority of  
 11 this bill. I appreciate the substitute. I think the  
 12 substitute is a stronger version. I think it makes  
 13 sure we safeguard people's right to vote but also to  
 14 help others vote without -- in a respectful manner.  
 15 This is not a hypothetical situation. This is not  
 16 something that we don't know is happening. There are  
 17 people who are having their votes stolen or usurped  
 18 through the ballot harvesting process. There's a  
 19 lawsuit right now in Conecuh County where a candidate  
 20 was, in my opinion, deprived the right to hold the  
 21 office. He was duly elected to because of this  
 22 situation. And I expect that to be litigated --

1 litigated soon in court and for the courts to rule  
2 within that decision. So this is not a hypothetical  
3 situation. We know that it happens. The only question  
4 is to what extent? And I think for me, the priority  
5 is making sure that every single person has your vote  
6 counted the way -- they want it to be counted and  
7 that it's not tampered with. The situations we're  
8 seeing are people who are having someone help them  
9 with their ballot and then that person helping with  
10 their ballot actually votes for them. And that's a  
11 tragedy and it's a tragedy that we do need to realize  
12 is happening and we do need to realize that needs a  
13 solution. So I think that's what we're looking at.  
14 That's what this bill is about. It's about making  
15 sure that every single vote is safeguarded and every  
16 single vote has the ability to be counted as the  
17 person wanted it to be wanted -- wanted it to be  
18 cast. So I rise in support of this bill. I think it  
19 is a common-sense solution to a problem that is  
20 happening. I think it is a safeguard that puts in  
21 place a measure that allows people to know that their  
22 boats are secure, and I think that's an important



1 thing for the state of Alabama to do and I appreciate  
2 all of your work in this process. Thank you.

3 CHAIRMAN BOB FINCHER: Thank you, sir. Mrs.  
4 Norma Sanders.

5 NORMA SANDERS: Good morning. On behalf of  
6 the NAACP, I, Norma J. Sanders, would like to make  
7 the following statement. I come before you today  
8 saying the Senate Bill One, would change our Civic  
9 organization employees, volunteers or individuals  
10 with a crime simply for assisting their neighbors and  
11 exercising their right to vote by absentee ballot.  
12 State Senator Gudger proposed Senate Bill One to  
13 create barriers to voting in Alabama. We firmly  
14 believe Senate Bill One could pose significant  
15 challenges for seniors, college students, people with  
16 disabilities and people living inside Alabama prisons  
17 and jails. The NAACP has for many years assisted  
18 people with their absentee voting because we want to  
19 ensure everyone's vote counts. Here we stand today  
20 saying this is another attack on our Constitutional  
21 rights to vote. I am reminded of March 7th, 1965 when  
22 from Selma to Montgomery March. We as human beings

1 being must not forget this protest. It was due to the  
 2 violation of individuals constitutional rights to  
 3 vote. Remember Senate Bill One will have a negative  
 4 impact on NAACP Civic engagement work. We urge the  
 5 Alabama legislature to kill the Senate Bill One  
 6 before it causing irreparable harm to our state.  
 7 Thank you so very much.

8 CHAIRMAN BOB FINCHER: Thank you, ma'am.  
 9 Next, Mr. Travis Jackson. Is he here?

10 TRAVIS JACKSON: Thank you, Chairman and  
 11 members of the committee. My name is Travis Jackson.  
 12 I am a Alabama District 31 and 88 citizen. I am also  
 13 a black lives/voters matter activists who volunteers  
 14 with a Civic org by the name of Roland to the polls,  
 15 which is a voting rights Advocate group of like-  
 16 minded people transporting voters to their accurate  
 17 voting polls. And I'm also an Iraq veteran and I  
 18 harshly stand against Senate Bill One. Senate Bill  
 19 One is the total opposite of aiding voters who want  
 20 to exercise their freedom of speech or freedom to  
 21 vote via absentee ballot. Last time I checked it, the  
 22 year was 2024, not 1924. Racial barriers such as

1 literacy test, extensive legal documents and a  
2 notorious how many marbles are in a jar quiz were put  
3 in place during the calm -- during the Reconstruction  
4 Era to discourage African-Americans from voting. This  
5 bill is just a modern-day reflection. If you want to  
6 call it like it is, Senate Bill One is the fabric of  
7 the white supremacist cloth. Also Senate Bill One  
8 criminalizes anyone receiving funds or delivering  
9 payments for Absentee assistance. For example, if a  
10 pregnant person, especially someone who is in with  
11 who is within their second and third trimester  
12 provides gas money to their non-relative neighbor for  
13 issuing and absentee ballot, they both can be charged  
14 with a felony. It's quite interesting -- it is quite  
15 interesting how after the Millie -- Allen v. Milligan  
16 decision over the summer, how many lawmakers are  
17 still envious of the power of the vote. Or black  
18 voters. It's even more interesting when ever since  
19 President Obama became our president, the attack on  
20 black voters have been harshly risen. It's even more  
21 interesting when 10 white male Senators have been in  
22 support of this modern-day racial terror of a bill.

1 Taking away someone's civil rights or request for  
2 voter assistance expresses the highest form of human  
3 indecency. Therefore, I strongly, harshly oppose  
4 Senate Bill One. Thank you for your time.

5 CHAIRMAN BOB FINCHER: Thank you, sir. All  
6 right. Carol Mosley. Mosley? Okay. I'm sorry. All  
7 right. Ms. Mosley.

8 CAROL MOSELY: Good morning. I am Carol  
9 Moseley. I am vice president of the League of Women  
10 Voters of Alabama. I am reading this statement on  
11 behalf of our president. Across the state nonprofit  
12 organizations like the league as well as caregivers,  
13 nurses, church members, and school administrators,  
14 teachers and students, fill a critical gap and  
15 provide a needed service to all people to navigate a  
16 fundamentally confusing and error-prone absentee  
17 voting process. We fill a gap in the community that  
18 election officials are not positioned to fill and we  
19 have knowledge about the voting present -- process  
20 that most citizens don't have. The SB1 before you  
21 today is still an extremely harmful bill that will  
22 entrap and criminalize samaritans who may be in a

1 situation where they receive reimbursement for their  
2 services or perhaps receive a token gift for helping  
3 a friend or even a stranger download or fill out the  
4 application. If any money, even gas money for  
5 transportation is offered or accepted, both persons  
6 would be guilty of a harsh felony. This new bill also  
7 has a new problem by requiring a registered voter to  
8 affirm that he or she is not barred from voting  
9 because of a disqualifying felony conviction or if  
10 the applicant was convicted of a disqualifying felony  
11 that the applicants right to vote has been restored.  
12 The registrar is the election official charged with  
13 affirming, confirming voter eligibility when a person  
14 is register -- registering to vote. The citizen  
15 voting in person is not asked this question. Adding  
16 it here is a violation of process and will intimidate  
17 and confuse voters. Finally, the 2022 primary  
18 election data that you -- that has been touted as the  
19 reason our proof that we need this bill and if any of  
20 you have not looked at this, I strongly urge you to  
21 look at this. This is what is handed out when you ask  
22 for proof of why we need this bill. The proportion of

1 absentee ballot voting is simplistic and meaningless.  
2 For a rural county, there are many reasons a person  
3 would vote absentee, including poor transportation,  
4 out of county jobs, aging or sick population. SB1 is  
5 a harmful bill for the people of Alabama and will  
6 only serve to suppress the voting rights of people  
7 who have a right to vote absentee. It will also allow  
8 innocent people to be criminalized for doing good.  
9 The League of Women Voters ask you to give this bill  
10 and unfavorable recommendation. Thank you.

11 CHAIRMAN BOB FINCHER: Thank you, Ms.  
12 Mosley. All right. At this point, I will ask the  
13 committee members if any of them have a question for  
14 the sponsor or any of those who have testified before  
15 the committee. Anything? I think Ms. Givan was first  
16 one -- hand I saw.

17 JUANDALYNN GIVAN: Thank you, Mr. Chairman  
18 for the opportunity to speak. The first thing is if  
19 I'm allowed is I just want to commend the students of  
20 Alabama State, Tori and Armani. It's a big, big deal  
21 when you come before all of us big people who sit in  
22 these chairs and for you to come and so eloquently do

1 that, I think that you have represented your family  
2 as well as your -- it's your college or your  
3 institution in a very, very honorable manner. With  
4 that being said I do have a question for Senator  
5 Gudger.

6 SENATOR GUDGER: Yes, Ms. Representative.

7 JUANDALYNN GIVAN: Just a couple. I'm a  
8 facts type of person. I pride myself in being that  
9 way and I research a lot. When you come before me and  
10 you begin to either cite -- that wasn't you so I  
11 can't ask you that. It was I think it was the  
12 representative from the Republican party, but I would  
13 like to ask you this, because every time I see these  
14 bills and we hear about so much voter fraud in the  
15 state of Alabama, then when I ask the question of the  
16 Secretary of State's office, the answer comes back to  
17 very, very, very, very, very, very, very, very, very,  
18 very, very minimal responses as to -- as it relates  
19 to voter fraud in the state. From the previous  
20 Secretary of State's office to this office and I see  
21 that you feel -- you all feel that there's such an  
22 urgency of now with regards to this. So do you -- can

1 you give me the stats of the number of voter frauds,  
2 especially in the area of absentee voting that we  
3 have here in the state because you intimated that you  
4 had spoken with several groups and so if you could  
5 answer that question? Would you give me the true  
6 definition also of ballot harvesting? If you can and  
7 also you mentioned groups that you have met with on  
8 both sides of the aisle on this issue. And if you  
9 could answer those for me, I would appreciate it.

10 JUANDALYNN GIVAN: Thank I'm gonna probably  
11 forget those three so I'm going to take them one at a  
12 time. Tell me what I need to answer. Okay? But let's  
13 start up with cases and I was looking for it when you  
14 started saying that. These are things that I found  
15 online that are as recent -- every one of these that  
16 are in these boxes are voter fraud, call it ballot  
17 harvesting. Obviously, I don't want to list the names  
18 that are there. I don't think we should hurt  
19 somebody's character. But this is everything in the  
20 last few years.

21 JUANDALYNN GIVAN: So are those -- so  
22 you're counting on five sheets of paper. So are --



1 is every name on there on the sheet of paper voter  
2 fraud or is it person's name at the top of the list?

3 SENATOR GUDGER: These are people's name  
4 and then they have been caught voter fraud through  
5 this. Part of that would be about harvesting. Just  
6 for example on mine, that's in my district, biggest  
7 voter fraud case in Alabama is in Winston County  
8 which is my district. Okay? It tells about who did it  
9 and he was there and how they did it and I talked to  
10 the Circuit Clerk who gave me this information, but  
11 they were convicted and after they were convicted  
12 they didn't go to jail. Nothing happened. But let me  
13 just tell you at that time in my district, for  
14 example, the sheriff, the circuit clerk, the district  
15 judge, candidates for the school board and candidates  
16 for County Commission all were in a scheme so that  
17 they can make sure they stayed elected on top of it  
18 and didn't count other people's votes that were  
19 coming out. And I haven't said that the biggest case  
20 in the history of Alabama, I'll give you the sheet if  
21 you'd like it, that is in my district. And so is that  
22 happening? Yes, it is. Can I give you an overview or

1 details of how many? I can't do that but I have this  
2 just on my research that I pulled.

3 JUANDALYNN GIVAN: And I just remember --  
4 I'm about to -- I'm wrapping up, Mr. Chairman. And so  
5 the question is that that's identifies the case so  
6 that's about five sheets of paper. So that's roughly  
7 about five people, individuals. Again, the number has  
8 always been very minimal of regardless of who it is,  
9 it's wrong. I don't care who does it. But I just want  
10 to close Mr. -- Mr. Chairman with this. I wanted to  
11 speak or spoke about jelly beans and no -- marbles.  
12 Marbles in a jar, but I'm going to take you just a  
13 step further. Jellybeans in a jar, poll taxes,  
14 reciting the Constitution of the United States of  
15 America, the 1964 Civil Rights Act, the 1965 Voting  
16 Rights Act, the cross -- the journey from the Edmund  
17 Pettus bridge to the capital of the state of Alabama.  
18 And I simply say this. This is an opportunity to  
19 further infringe upon the power and strength of the  
20 black vote at the end of the day. And all I can say  
21 to you all out there, is that this is not what  
22 democracy looks like. What you all are what democracy

1 looks like. Mount up. Mount up. Mount up.

2 CHAIRMAN BOB FINCHER: Are there any other  
3 comments or questions for committee members? Let's go  
4 around. Ms. Adline?

5 ADLINE CLARKE: Good morning, Mr. Chairman.  
6 Good morning Senator Gudger.

7 SENATOR GUDGER: Good morning, Ms.  
8 Representative.

9 ADLINE CLARKE: So talk to me a little  
10 more about this -- this. Thank you -- about this  
11 proof that that you have. I'd love to see it. I think  
12 this committee ought to see it.

13 SENATOR GUDGER: Okay. I'll be more than  
14 happy to give you the sheets. These are only ones  
15 I've got that I've printed off myself, but I did my  
16 research and just pulled in -- this is just the ones  
17 that have the last few years that I've had. Am I an  
18 attorney? No. Did I pull this off? Do I know what's  
19 happening? Yes.

20 ADLINE CLARKE: In the case that you  
21 mentioned, Senator.

22 SENATOR GUDGER: Yes.

1 ADLINE CLARKE: That --

2 SENATOR GUDGER: In Winston County?

3 ADLINE CLARKE: Yes. So how was -- has that  
4 case been disposed of?

5 SENATOR GUDGER: It has been. They get  
6 convicted and was arrested but then they were after  
7 that charges were dismissed because --

8 ADLINE CLARKE: So the justice system  
9 worked. Is that correct?

10 SENATOR GUDGER: It was -- they were  
11 dismissed and they still kept their jobs and they  
12 still had places -- but it wasn't because it's not  
13 legal and now there's loopholes you can get around it  
14 and that is exactly what they did. They're arresting  
15 and they found the loopholes to get out of it. So  
16 it's happening and nothing's being done. This  
17 particular bill -- and the definition real quick Mis  
18 -- representative and also -- so you ask me I think  
19 is Mohan good for both of us and say is if you're  
20 getting paid or getting, receiving monetary value for  
21 your application, that would be ballot harvesting as  
22 you're pulling harvesting part all of that together.

1 JUANDALYNN GIVAN: But these students  
2 aren't being paid. They're not -- they're not being  
3 paid. They represent legitimate student campus  
4 organizations.

5 SENATOR GUDGER: Then they can do what they  
6 want to. That's fine. I'm not sure what their  
7 arguments were because they said you can't help  
8 somebody fill that in. You can. You can have help. If  
9 you look on the bill line 50 to 55, it says anybody  
10 who can help anybody fill in their application as  
11 long as you sign that. If you can't read or write you  
12 have to put a mark, that's going --

13 ADLINE CLARKE: What -- what line is that?  
14 It says anybody can help anybody?

15 SENATOR GUDGER: 50. Look in the bill. Line  
16 50 to 55. Page Two. So you have anyone that you want  
17 can help you fill in your application. I'd like to go  
18 one step further or talking about restitution of  
19 rights also. We worked with the Democratic party  
20 upstairs to make sure that if someone went through  
21 the process got convicted on felonies and then they  
22 went through the judicial process and paid the

1       restitution, they don't have to list the felonies on  
2       their application because they shouldn't do that  
3       anymore. They have restored their voting rights and  
4       they don't have that. I think that's fair and we  
5       added that Amendment upstairs. If you went through  
6       the judicial system and restored your voting rights,  
7       you don't have to list any of those felonies.

8               ADLINE CLARKE: So Mr. -- again, I'd like  
9       to see the data. I'd like to -- if it is proper, Mr.  
10      Chairman, make a motion or ask that you as Chair send  
11      this bill to a subcommittee to review this data so  
12      that this committee would be convinced that -- that -  
13      -

14             CHAIRMAN BOB FINCHER: Right.

15             ADLINE CLARKE: -- ballot harvesting  
16      exists.

17             CHAIRMAN BOB FINCHER: There's a motion to  
18      send the bill to a subcommittee which has a do  
19      second. I would love to tell you -- yes. There's a  
20      move to table the motion. All those in favor of the  
21      tabling motion, say aye. All those opposed nay. The  
22      aye's have it. The aye's. All right. Representative

1 Clarke, was that your ending remark?

2 ADLINE CLARKE: I know and I said through  
3 the Senate hearing and the reason -- and you know  
4 that I have a bill that addresses this the same  
5 issue.

6 SENATOR GUDGER: That is correct.

7 ADLINE CLARKE: And so I was very  
8 interested in tracking this bill closely so that that  
9 I could see how we might work together. We've done  
10 that before Senator Gudger.

11 SENATOR GUDGER: That's correct.

12 ADLINE CLARKE: I think Senator Singleton  
13 pointed out that as lawmakers, we often are involved  
14 in this process. Are we third parties? Would we be  
15 guilty of ballot harvesting if we were to go out  
16 there and try to -- I mean, we do it. And let me use  
17 an example. In one of our more recent mayoral  
18 elections in Mobile, one of our candidates mailed  
19 about 1500 absentee ballot applications to a targeted  
20 group. Is that ballot harvesting?

21 SENATOR GUDGER: Sending applications? If  
22 they're requested there's not -- you can --

1 ADLINE CLARKE: No. No. They weren't  
2 requested.

3 SENATOR GUDGER: Okay.

4 ADLINE CLARKE: They weren't requested.

5 SENATOR GUDGER: You have a couple options.  
6 You can send applications and help somebody fill that  
7 in. You can take yourself, 1,500 in your car and take  
8 it to 1,500 people if you want to do that wasn't  
9 requested. That's still legal. Okay?

10 ADLINE CLARKE: That's still --

11 SENATOR GUDGER: That's still legal. You're  
12 able to be. That's legal what you just said. Now,  
13 paying someone to application and tell them how to  
14 fill that in, that's legal. I mean, excuse me. That's  
15 illegal and you can't do that part. Right? So you've  
16 got a blank form that you give to them and you can  
17 pass out as many as you want to. You can get  
18 assistance from anyone in this room or anyone in the  
19 world that you want to, to help fill that in as long  
20 as if you need assistance -- if they're disabled,  
21 then you sign your name as the applicant and then the  
22 person that helped you, fill that in and you put both



1 your names at the bottom and send that application in  
2 yourself. So I'm -- I'm still -- and we're under in -  
3 - to answer your question. We are under the same law.  
4 This right here. So, where it is, it's if you getting  
5 paid or receiving money. The intent of this bill,  
6 right? And it says willing on here. Willing, knowing  
7 intent. Okay? Is not to worry about grandfather given  
8 the grandson \$5 for gas money. I don't think  
9 anybody's going after that. But if somebody's  
10 bringing in 1,500 ballots at one time, there's an  
11 issue there. There's certain counties that we have  
12 data that they are one out of five ballots cast is an  
13 absentee ballot. That's over 20 percent. Whether it's  
14 transportation or whether that's rural or whether  
15 they have to work outside of the county, that's so  
16 far out of the norm of Alabama, which is three and a  
17 half percent. 20 -- over 20 percent, that means  
18 something's going on in those particular counties and  
19 we're just trying to stop that. And again, I'm under  
20 that same thing in my county.

21 ADLINE CLARKE: And what might be going on  
22 is that state representatives and state senators are

1 campaigning and out there beating the bushes trying  
2 to get votes. I think that that is often where we see  
3 the increase is every four years when our names are  
4 on the ballot.

5 SENATOR GUDGER: There's a large increase.  
6 Three percent of 20 over 20.

7 ADLINE CLARKE: And if you look -- if you  
8 look at those numbers of absentee votes cast, I mean  
9 any one of us might be suspicious because you're  
10 going to see where the number is largely Democrat or  
11 is largely Republican and that typically reflects,  
12 you know, the demographics of those various counties.  
13 I also think Mr. Senator Gudger and Chairman and  
14 committee that we really need to define the words  
15 gift, prefilling and third party in this bill.

16 SENATOR GUDGER: Okay.

17 ADLINE CLARKE: Can I get an Amen out  
18 there? Thank you.

19 CHAIRMAN BOB FINCHER: Does that conclude  
20 your remarks Representative Clarke?

21 ADLINE CLARKE: At the moment. Thank you,  
22 Mr. Chairman.

1 CHAIRMAN BOB FINCHER: Okay. Representative  
2 Rafferty, you -- okay. Representative Paschal?

3 KENNETH PASCHAL: Thank you, Chair. I guess  
4 the question -- the word that I have an issue with  
5 intent, right? Because if you got a Civic  
6 organization that they employed by this organization,  
7 they get paid and they job is to hit with absentee  
8 ballot. Would that person be prosecuted with a class  
9 C felony?

10 SENATOR GUDGER: No. If that's just helping  
11 somebody as far as assisting and filling out their  
12 application, they would not be.

13 KENNETH PASCHAL: Okay. Because --

14 SENATOR GUDGER: If they're getting paid --  
15 paid to do that over and over and over all day. Yes,  
16 they would be under this, technically.

17 KENNETH PASCHAL: And I guess -- I think  
18 Mr. John wall made a comment about a particular case  
19 because what I noticed we get a lot of candidates,  
20 right? They run a race and they lose. The first thing  
21 they look at is the absentee ballot and they  
22 automatically put in a lawsuit because they feel like

1 if something was done in the absentee ballot process  
2 -- because sometimes we don't -- we shouldn't do  
3 things about -- about how we think but what we know,  
4 right?

5 SENATOR GUDGER: Right.

6 KENNETH PASCHAL: Because of the -- if you  
7 don't know, these people don't know but is it they  
8 just going by what they think. I think we doing this  
9 legislation about what we think but not what we know.  
10 It is not even enough evidence to do legislation  
11 because I'm so afraid -- and we have done this  
12 throughout history. We can go back to the criminal  
13 justice bill back in the 90s when we did the three-  
14 strike rule. Nobody didn't think about judges putting  
15 people locked in jail for 25 years over small  
16 charges. You see the intent. That's the intent. The  
17 intent was to stop -- help stop violence. Ans so what  
18 I'm afraid with this legislation, the intent would  
19 cause a lot of issues, especially with candidates,  
20 right? Because when they lose, it's an audit because  
21 I -- when I count votes in my elections and I ran  
22 campaigns for my experiences, right? And they said,

1 well I voted absentee. And I know in my area, you  
2 know because I said the absentee ballot process works  
3 because when I counted a hundred absentee ballots and  
4 I only see 25 got counted, like what happened? You  
5 know? And that's the issue that I get and I think the  
6 process work. Now, even the scheme that you said to  
7 happen in Winston County now, that's -- that's -- I'm  
8 not saying it didn't happen. But when you get so many  
9 people to agree to be re-elected and then they didn't  
10 get prosecuted, that's -- that's voter fraud. It is a  
11 desk -- that's a problem. They should be in -- they  
12 shouldn't be -- should not be in office. And we do  
13 have laws that should they be held accountable for  
14 that, you know? But what I'm afraid is and I'm  
15 finished. It's just the intent. Intent has always  
16 hurt certain people in this country. The intent. And  
17 that's what I'm afraid of with this legislation.  
18 Thank you.

19 CHAIRMAN BOB FINCHER: Are there any other  
20 questions or comments from the committee? All right.  
21 We got one more over here. Representative Rafferty.  
22 Yes. You got one --

1           REPRESENTATIVE RAFFERTY: Thank you, Mr.  
2     Chair. Okay. So I wanted to kind of walk through page  
3     four here where you're breaking down these two  
4     different. That's class C felony and a class B  
5     felony. Can you explain the difference between these  
6     two?

7           SENATOR GUDGER: Yes. If only -- let's  
8     start at the top of the page on line 80 -- might has  
9     well say 85. Just at the very top of the page. Okay?  
10    Page four. And that is knowing -- if you look at page  
11    line item 86, that is if you receive a payment or  
12    gift for distribution in distributing --

13          REPRESENTATIVE RAFFERTY: What constitutes  
14    a gift?

15          SENATOR GUDGER: I guess monetary value?

16          REPRESENTATIVE RAFFERTY: So a stamp?

17          SENATOR GUDGER: What we said upstairs is  
18    the same thing. Stamp, sticker, everything else, but  
19    we're not going after people that are trying to  
20    stamp. This bill -- the intent against representative  
21    hassle was the fact of going after the bad actors  
22    that are trying to steal these elections. You want me

1 to finish that up? For that 85 through-line 90 would  
2 go to a class C felony. If you receive a gift or  
3 monetary value 91 through 96 is a class B felony. If  
4 you're the one that's paying that. If you look at the  
5 word on line 92, knowingly pay or provide a gift as a  
6 term I found out through this process calls Men's  
7 Raya. This is a law term that says that criminal  
8 intent and that's what that means is the same way  
9 knowingly intents on line 86, knowingly receive a  
10 payment. Same way. That is knowingly criminal intent  
11 is what that states in the law.

12 REPRESENTATIVE RAFFERTY: And is there any  
13 clarification as far as whether or not these ballot  
14 applications -- I mean, completed ballot applications  
15 versus just a stack or packet of them?

16 SENATOR GUDGER: As me the question again.

17 REPRESENTATIVE RAFFERTY: Well, I'm trying  
18 to see if you deliver a stack of applicants valid  
19 application somewhere to a nonprofit that might be  
20 having a voter, you know, --

21 SENATOR GUDGER: You can deliver those to  
22 anybody you want to. 1,500 of them. That's fine.

1 That's not against the law. Cannot. Representative  
2 Rafferty, you brought up something early I'd like to  
3 just put there real quick, which is disabilities.

4 REPRESENTATIVE RAFFERTY: Yes.

5 SENATOR GUDGER: There's federal law guys  
6 that go with this -- and ladies -- that go and we're  
7 not changing and can't change federal law. Anything  
8 that has disability -- my father was disability,  
9 couldn't see at the end. Had one leg from diabetes.  
10 Same thing. We helped him fill that in. He returned  
11 to his application back in. You're still able to  
12 again get assistance if you need it. We're not  
13 affecting anything with disabilities because Federal  
14 code and we can't change that. So I'm not changing  
15 that in this bill and veterans that are overseas,  
16 that is federal law and we can't change anything in  
17 this bill. The only thing we're doing is making it a  
18 crime to receive or get or pay people for ballot  
19 harvesting.

20 REPRESENTATIVE RAFFERTY: All right. One  
21 more question. Just one more follow-up with that. I  
22 wanted to see about this getting paid out of that



1 definition here. So if we have nonprofit  
2 organizations and Civic organizations that their job  
3 is to provide this assistance. Are you saying that  
4 they would be subject to this this law here? Would  
5 you in essence undermining their mission of trying to  
6 get more voters voices heard?

7 SENATOR GUDGER: We want as many people to  
8 be able to vote and have access to the polls and make  
9 sure that it's secure voting and honest and integrity  
10 election. Are we doing that? No. You can have  
11 education. You can bring people in. You can talk to  
12 them. You can help them fill it in and then send  
13 those ballots back. I don't -- I don't see that we're  
14 doing any of that that some of the people that were  
15 here talking about would disagree with that.

16 REPRESENTATIVE RAFFERTY: I understand that  
17 but I would just kind of piggyback off the impact  
18 statement, the application and you know application  
19 of the law and how that'll be interpreted and read  
20 for everyone else across the state, also comes into  
21 play here. So I have grave concerns about that. I  
22 have grave concerns that you're going to be ripping

1 into the ability for voters voices to be heard  
2 through the absentee ballot process. And with that I  
3 will --

4 CHAIRMAN BOB FINCHER: Thank you  
5 Representative Rafferty. Representative Pringle, you  
6 had some comments you would like to make.

7 CHRIS PRINGLE: Thank you, Senator. You  
8 know, I've heard this that ballot harvesting doesn't  
9 exist. And what I have right here is a lawsuit that  
10 was filed in Mobile County where an organization sued  
11 a candidate. and I'll just read the fee stated you  
12 were to pay seven hundred dollars a week for us to  
13 generate your absentee ballots and they sued because  
14 the candidate didn't pay them and they went out and  
15 they generated these absentee ballots and they wanted  
16 to be an invoice. Of course, you know, you can't sue  
17 for committing a crime. So, the lawsuit was  
18 dismissed. But this right here in Mobile County  
19 proves that there are ballot harvesting operations  
20 that are going on. Candidates are contacting the  
21 people to harvest ballots for their election. But I  
22 just thought you'd see it government document proves

1 this happens all over. When I was a consultant back,  
 2 I can't tell you how many times people came into my  
 3 office and offered to sell me absentee ballot votes.  
 4 The ballot queens would come in and say I've got -- I  
 5 got 300 or Kings whatever. I got 300 absentee ballot.  
 6 So I control County and your candidate is running  
 7 statewide, so for \$5 a vote, I'll get you 300 votes  
 8 and that go to the County Commission say, I've only  
 9 got 75 in your District so five out -- they would  
 10 sell every single slot on every single battle for  
 11 five dollars. They're making a lot of money doing it.

12 SENATOR GUDGER: And it happens on both  
 13 sides of the aisle. Both parties, independents as  
 14 well.

15 CHRIS PRINGLE: But it is the people.  
 16 People do it. There are people out there that that  
 17 harvest ballots and they make money selling those  
 18 votes the candidate. So I've witnessed it. Thank you.

19 CHAIRMAN BOB FINCHER: Thank you. We have  
 20 one more comment. I know from Representative Givan.

21 JUANDALYNN GIVAN: I just wanted to just to  
 22 get the clarity. You mentioned the changes that you

1 made upstairs working with the black caucus upstairs

2 --

3 SENATOR GUDGER: Yes, ma'am.

4 JUANDALYNN GIVAN: -- if you would just for  
5 what you -- if you would just give me the clarity on  
6 what those changes were within this as well as two  
7 other things. As just to piggyback to what  
8 Representative Rafferty was asking, he mentioned if  
9 someone worked for a -- an organization, but my  
10 question to you, if that person works for the  
11 organization, this is going back to the gift and that  
12 person is paid gas who delivered those -- those  
13 ballots or if they're paid some type of stiffing in  
14 refund for their gas or what have you to get the  
15 balance there, is that a legitimate -- I guess I  
16 don't want to say legitimate choice or option for  
17 them to be able to accept that or it would they be  
18 penalized for the crime just -- just for  
19 reimbursement of gas as an expense? And lastly, I  
20 don't know who made the comment but since they're  
21 here, Mr. Chairman, I would like for them to answer  
22 one question because I keep hearing this word and I'm

1 just trying to get some clarity on when someone says  
2 woke vote. I just want someone to define for me what  
3 a woke vote is because I'm having problems with a lot  
4 of the commercials I'm seeing from my colleagues on  
5 the opposite side of the aisle with the word woke  
6 vote, and I want to know what that is because that  
7 seems to be something that you all are trying to  
8 penalize and I'm just trying to get it for my own  
9 clarity.

10 SENATOR GUDGER: I don't think I'm the  
11 person to be able to --

12 CHAIRMAN BOB FINCHER: I don't know that we  
13 heard the word woke vote today. I didn't -- did  
14 somebody say it? Yes?

15 JUANDALYNN GIVAN: He said it. I heard it.

16 CHAIRMAN BOB FINCHER: Okay. I don't know.

17 JUANDALYNN GIVAN: That gentlemen there.

18 CHAIRMAN BOB FINCHER: The bill is on the  
19 floor. The bill is on the floor before us and I'm  
20 going to call on Representative Lomax.

21 JAMES LOMAX: Yeah. I'd like to offer small  
22 amendment if appropriate this time. Sentator, this

1 amendment would simply take -- replace line 59  
2 through 60 on page 3 with the following required on  
3 the application form. So, to remove the rest of the  
4 sentence there. Other than marking the specific  
5 election to which application applies the thought  
6 here, not letting them fill out any of that  
7 application just to make it more streamlined and not  
8 leave any open -- open interpretation and put us at  
9 risk.

10 CHAIRMAN BOB FINCHER: All right. Is there  
11 a second to that motion that was made? Representative  
12 Butler seconds. Okay. Is there any discussion on the  
13 amendment? Okay. Sir?

14 JAMES LOMAX: Sure. Yeah. So it's so if you  
15 look at page 3, clearly it outlines it it'll be  
16 unlawful for a person to distribute an absentee  
17 ballot application that's been pre-filed with the  
18 voters name and it gives an exception though other  
19 than marking the specific collection to which  
20 application applies. I think we're open for -- for  
21 legal issues are potentially, interpretation issues  
22 and should just be no marking whatsoever if that's

1 the case.

2 JUANDALYNN GIVAN: Glad you brought that up  
3 because I actually had a question about that  
4 particular part of the bill. It seems to be in  
5 conflict with an earlier part of the of the bill. It  
6 says any applicant may receive assistance in filling  
7 out the application as he or she desires and then it  
8 goes on to say that the bottom of page to you it  
9 shall be unlawful for any person to knowingly  
10 distribute an absentee ballot application to a voter  
11 that is prefilled with the voter's name. Let me give  
12 you an example. Over the weekend. I have a brother  
13 for whom I'm caregiver, I print -- he doesn't have a  
14 printer. He's much smarter than I am. He can sit up  
15 and work algebraic equations all day long. He can't  
16 do some simple kind of stuff. Doesn't have a printer.  
17 So I printed out the absentee ballot application, but  
18 I typed in his information and printed it. His  
19 handwriting is horrible. The absentee election  
20 manager would have been calling him back three and  
21 four times they ask him to decipher what he would  
22 have written on that application. Would I be guilty -

1 -

2 SENATOR GUDGER: No.

3 JUANDALYNN GIVAN: -- of a violation --

4 SENATOR GUDGER: No.

5 JUANDALYNN GIVAN: -- if I put in his -- I  
6 put everything if --

7 SENATOR GUDGER: You're able to help him --  
8 you are able to help --

9 JUANDALYNN GIVAN: I put everything but his  
10 ID number and he had to sign it when I got there.

11 SENATOR GUDGER: You are able to fill in  
12 and help him.

13 JUANDALYNN GIVAN: That's not what this  
14 states.

15 SENATOR GUDGER: I mean can I explain that?  
16 I didn't know this was coming, but that wasn't a  
17 floor amendment that was brought to us and was voted  
18 on and I would -- I'm fine with this amendment coming  
19 back off, but that was a floor Amendment because it  
20 wasn't in the bill that I had submitted in committee,  
21 which was the sub that I put end. I think corrected a  
22 lot of the issues were talking about today. So this



1 particular one was added onto it.

2 JUANDALYNN GIVAN: Well with all due  
3 respect, I think we not only need to replace lines 59  
4 through 60. We need to replace lines 56 through 60.

5 CHAIRMAN BOB FINCHER: We have a motion on  
6 the floor. Is there any other comment? We're going to  
7 call for the vote on the motion. All right. The  
8 amendment is -- is before you. All those in favor of  
9 the amendment say aye.

10 SPEAKERS: Aye.

11 CHAIRMAN BOB FINCHER: All those opposed,  
12 nay.

13 SPEAKERS: Nay.

14 CHAIRMAN BOB FINCHER: The ayes have it.  
15 All right. So the amendment is added. All right.  
16 There's a move for a favorable report. There is a  
17 second for the -- so the motion is on the floor for a  
18 favorable report on Senate Bill One.

19 FEMALE SPEAKER 1: Roll call vote.

20 CHAIRMAN BOB FINCHER: All right. We ask  
21 for a roll call vote. That is proper. If the clerk  
22 will read the roll. Go ahead and vote.

1 ARMANI BENSON: No.

2 JOHN WALL: Nay.

3 ADLINE CLARKE: No.

4 CHAIRMAN BOB FINCHER: He has left.

5 KENNETH PASCHAL: Yes.

6 REPRESENTATIVE RAFFERTY: Yes.

7 JAMES LOMAX: Yes.

8 CHAIRMAN BOB FINCHER: He left. Yeah. The  
9 bill passes and Senate Bill One as amended is given a  
10 favorable report. Thank you.

11 (The recording was concluded.)

12

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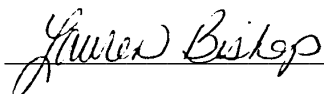
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# EXHIBIT B





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# Transcript of Alabama Senate Government Affairs Committee Hearing

**Date:** February 7, 2024

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In re:

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ALABAMA SENATE

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GOVERNMENT AFFAIRS COMMITTEE HEARING

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11

RECORDED HEARING

12

Wednesday, February 7, 2024

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Transcript of Alabama Senate Government Affairs Committee Hearing  
Conducted on February 7, 2024

2

1           SENATOR TOM BUTLER: Let me go ahead and  
2 call the meeting to order. Secretary, call the roll.  
3 (phonetic).

4           SECRETARY: Senator Tom Butler?

5           SENATOR TOM BUTLER: Here.

6           SECRETARY: Senator Chris Elliott?

7           SENATOR CHRIS ELLIOTT: Here.

8           SECRETARY: Senator Arthur Orr?

9           SENATOR ARTHUR ORR: Here.

10          SECRETARY: Senator Gerald Allen?

11          SENATOR GERALD ALLEN: Here.

12          SECRETARY: Senator Greg Albritton?

13          SENATOR GREG ALBRITTON: Here.

14          SECRETARY: Senator Dan Roberts?

15          SENATOR DAN ROBERTS: Here.

16          SECRETARY: Senator Lance Bell?

17          SENATOR LANCE BELL: Here.

18          SECRETARY: Senator Keith Kelley?

19          SENATOR KEITH KELLEY: Here.

20          SECRETARY: Senator Coleman- Madison?

21          SENATOR COLEMAN-MADISON: Here.

22          SECRETARY: Senator Merika Coleman?

1 SENATOR MERIKA COLEMAN: Here.

2 SECRETARY: Senator Robert Stewart.

3 SENATOR ROBERT STEWART: Here.

4 SECRETARY: We have a quorum.

5 SENATOR TOM BUTLER: Okay. With quorum  
6 being present, we're ready to conduct business. First  
7 bill on the agenda will be Senate Bill 1. Senator  
8 Gudger?

9 SENATOR GUDGER: Mr. Chairman, thank you  
10 for the opportunity to be here today -- and  
11 committee. I appreciate all the hard work and time  
12 that you all let me have and putting into this bill  
13 from last session until this session. I do have a  
14 substitute that is in front of you. So make sure you  
15 see that. Pull that out. And before we even start on  
16 the last bill from last year that we brought forward  
17 and pre-filed, this is the bill that we're going to  
18 be talking about today. It is the substitute bill. I  
19 don't know if you would like to, Chairman, to go  
20 ahead and make a something -- if we can make a motion  
21 to adopt that?

22 SENATOR TOM BUTLER: Senator Gudger, we

1 need to adopt --

2 MALE SPEAKER 1: Mr. Chairman, I would move  
3 to adopt. So, second.

4 FEMALE SPEAKER 1: I'm three.

5 SENATOR LANCE BELL: Four.

6 SENATOR TOM BUTLER: Four owns. Moves to  
7 adopt Gudger's substitute, by Senator Roberts.

8 SENATOR MERIKA COLEMAN: Mr. Chairman?

9 SENATOR TOM BUTLER: Yes, ma'am.

10 SENATOR MERIKA COLEMAN: Thank you, Mr.  
11 Chair. I guess I was, as a relates to the setup and  
12 even the adoption of it, the sub is six pages long.  
13 The original bill is four pages long. We just kind of  
14 got it right in front of us. Before the adoption can  
15 he literally just give us a little bit of a synopsis  
16 prior to --

17 SENATOR TOM BUTLER: Yeah. If you hadn't  
18 answered in, that was the next thing is for Senator  
19 Gudger to give us a overview of his bill and the  
20 changes in the substitute.

21 SENATOR GUDGER: I've got some opening  
22 remarks I'd like to say that's all right with the

1 committee first just for a moment and then go into  
2 that if that's all right, Chairman?

3 SENATOR TOM BUTLER: Yeah.

4 SENATOR GUDGER: First of all, this bill  
5 that's a substitute in front of you, has been  
6 reviewed by groups all over this state over the last  
7 nine months. The groups that oppose this bill and  
8 groups that are for this bill. This substitute is --  
9 that's being presented today, is to the best of our  
10 ability for making changes so that we have heard  
11 everyone's voice throughout this whole state.

12 I think this bill is the best for the  
13 people of the state of Alabama. And I say that state  
14 of Alabama, I'm talking about all people in the state  
15 of Alabama. I believe that this bill helps it so that  
16 voting is secure, honest and it knocks down the last  
17 leg of ways that, I want to say the bad actors and  
18 through the campaigns are trying to steal our  
19 elections.

20 This bill should not be a Republican bill.  
21 This bill should not be a Democratic bill. This bill  
22 should not be an Independent bill. This should be a

1 bill for every Alabamian for secure elections.

2 Found a quote through my research and I  
3 thought it represented this bill well. A Democratic  
4 Republic cannot survive if election laws allow voters  
5 to commit fraud easily. That's what's happening in  
6 our state right now through ballot harvesting. Just  
7 to be clear before we go into this, the number one  
8 request that I get from groups all over the state is  
9 that disabilities, people with disabilities,  
10 including deaf, blind and especially our veterans  
11 overseas, none of that changes from what we have on  
12 federal code that we can't do anything about right  
13 now anyway, because we're state government and it  
14 supersedes us. We're not changing any of that in this  
15 bill just to make sure everyone's clear. And those  
16 people can still get assistance if they need to.

17 That's my opening remarks, Chairman. I'd  
18 like to go into the bill just give the highlights if  
19 that's okay?

20 SENATOR TOM BUTLER: Please.

21 SENATOR GUDGER: Okay. So this substitute  
22 that's here, this bill has about five significant

1 changes or five things that changed and I want to  
2 make sure everyone in the room that's -- and  
3 listening on the microphone throughout the state and  
4 your committee and you, Chairman, understand exactly  
5 what it does.

6 First, the Substitute keeps the language  
7 in the current law to allow for any voter to receive  
8 assistance in filling out that absentee application  
9 that he or she desires. It's current law now. We're  
10 keeping it in the law. But as a number one point that  
11 a lot of people said, we need assistance for people,  
12 especially with disabilities. Again, we're not  
13 changing that. They can still get assistance. My  
14 father was an amputee and had bad eyesight at the end  
15 of his life before he passed away, he could ask for  
16 assistance. He could get this through the substitute.

17 Number two. This bill makes it unlawful  
18 for any person to knowingly distribute an application  
19 that is pre-filed or pre-filled with the voter's name  
20 or any information already on the ballot application.  
21 Meaning when you give someone a ballot application  
22 there should -- everything should be blank. Should be



1 a name on there, any District, anything whatsoever.  
2 Just a ballot application.

3 Number three. This bill makes it unlawful  
4 for an individual to submit a completed absentee  
5 ballot application to the absentee election manager  
6 other than his or her own. So if you help somebody  
7 fill in an application, or are you fill in your own,  
8 you are responsible for returning that to the  
9 election manager of your county or the Secretary of  
10 State. Either one. But what's happening now is  
11 they're grouping together in what we call harvesting  
12 and there's data that shows where certain people pull  
13 in 120 ballots at a time since the data I've got from  
14 2016 'til now at one time and turn that in. We're  
15 trying to alleviate that.

16 The bill also makes a class C felony for  
17 anyone knowingly receiving payment or a gift for  
18 distributing, ordering, requesting, collecting,  
19 completing pre-filling or obtaining or delivering the  
20 voters absentee ballot application. So if you receive  
21 payment, there's a deterrent there now, which we  
22 don't have currently that is a Class E felony.

1           The other side of that coin is this bill  
2 makes it unlawful and makes it a Class B felony to  
3 knowingly pay or provide a gift to a third party to  
4 distribute, order, request, collect, pre-fill,  
5 complete, obtain and deliver a voter's absentee  
6 ballot application.

7           In short, you cannot pay or receive or it  
8 will be a felony. Everything else is the same as in  
9 the last bill, but those are the changes. I think  
10 that I would like to reserve my time if we're going  
11 to have a public hearing, Chairman. Or if you have  
12 questions before I sit down, I'll answer those. But  
13 if you want to wait until the public hearing or  
14 whatever you decide, but those are the changes. Those  
15 are my opening remarks. I would like another chance  
16 at the microphone after we have a public hearing.

17           SENATOR TOM BUTLER: With your comments  
18 we'll start with those who have signed up on Senate  
19 Bill 1.

20           SENATOR GUDGER: Thank you, Chairman.

21           SENATOR TOM BUTLER: Becky Gerritson?

22           BECKY GERRITSON: Good afternoon. Welcome

1 back. It's nice to see you all again. I'm Becky  
2 Gerritson, the executive director of Eagle Forum of  
3 Alabama.

4 Over the last decade across the state of  
5 Alabama, there have been multiple convictions for  
6 absentee ballot fraud, also called ballot harvesting.  
7 Eagle Forum is opposed to ballot harvesting because  
8 it jeopardizes free and fair elections, it undermines  
9 ballot secrecy and it allows ballot harvesters to  
10 prey on vulnerable voters either by third-party  
11 organizations with biased political opinions or by  
12 people whom they don't even really know.

13 We support the provisions in this bill  
14 that prohibit nonprofit groups or individuals from  
15 distributing, collecting or returning ballots from  
16 absentee voters for payment. And we also support the  
17 important provision in the bill that allows  
18 assistance to the blind, disabled or those who are  
19 unable to read and write. Thank you for adding that.

20 In America, we are self-governed and we  
21 accomplished this through our ballot. So it only  
22 makes sense that we keep close tabs on where our

1 ballots go and how they get there once they leave our  
2 control. Prohibiting ballot harvesting eliminates  
3 risks and hazards that could cost you your vote and  
4 it provides confidence of knowing that your ballot  
5 will end up being counted as it should. By supporting  
6 SB1, we recreate an opportunity to enhance the  
7 security of elections in Alabama and safeguard the  
8 sanctity of the voting process. Thank you.

9 SENATOR TOM BUTLER: Tari Williams?

10 TARI WILLIAMS: Good afternoon. My name is  
11 Tari Williams. I'm a full-time employee with Greater  
12 Birmingham Ministries. GBM is a faith-based,  
13 nonprofit, social services and advocacy organization.  
14 We provide voter education and lessons in civic  
15 engagement and assistance with voter registration and  
16 restoration and voting, as needed, among other  
17 things.

18 We predominantly work with poor and low  
19 come -- low-income individuals and communities  
20 including those who are homeless, senior in age,  
21 formerly incarcerated and currently incarcerated in  
22 jail or prison. All would be severely impacted by the

1 passage of SB1. The bill purports to safeguard  
2 electoral integrity, yet, in reality it  
3 systematically dismantles the very mechanisms that  
4 ensure every eligible citizen regardless of their  
5 circumstances can participate in our democracy. The  
6 word GBM undertakes educating registering voters and  
7 nurturing responsible civic participation is rendered  
8 null by SB1.

9           This bill doesn't just erect barriers. It  
10 obliterates the bridge connecting disenfranchised  
11 citizens to their Democratic right to vote. Focusing  
12 on the incarcerated population. My role at GBM  
13 involves empowering these individuals with knowledge  
14 and tools for civic re-engagement and responsible  
15 citizenship, emphasizing that they are societal  
16 contribution does not pause with incarceration.  
17 Voting via absentee ballot is a critical step in  
18 maintaining their connection to society, aiding in a  
19 smoother re-entry process and reducing the likelihood  
20 of recidivism.

21           However, SB1's stringent measures making  
22 absentee voting a challenge for these individuals who

1 already face significant obstacles from prison, from  
2 within the prison system, such as lack of resources,  
3 insufficient staffing and systematic inefficiencies  
4 in mail handling.

5 SENATOR TOM BUTLER: Okay.

6 BECKY GERRITSON: Thank you.

7 SENATOR TOM BUTLER: Thank you very much.

8 Armani Benson? Let me remind everybody to speak and  
9 you have two minutes.

10 ARMANI BENSON: Greetings. My name is  
11 Armani Benson and I'm a senior who attends Alabama  
12 State University and I hold current positions as the  
13 president of Phi Sigma Alpha and the student  
14 government Association of Justice. College and Civic  
15 organizations help young adults become active within  
16 her community and politics. This is why the SB1 bill  
17 cannot be passed. For obtaining the absentee ballot  
18 application for someone else, SB1 will charge  
19 individuals with a -- a misdemeanor. Provide an  
20 absentee ballot assistance for money will also  
21 constitute a felony, meaning staff members to  
22 facilitate absentee voting as a part of their job

1 could be charged with a felony under SB1.

2 If passed, SB1 could penalize to an  
3 organization faculty and staff that facilitate voting  
4 and stifle civic participation on campuses. This bill  
5 will have a negative impact for college students  
6 which will result in a decline of young adults  
7 voting, overcrowding in prisons and Alabama. Also,  
8 the record of lives of many young adults will be  
9 tarnished as if they're criminals. SB1 will dismantle  
10 the relationship between college students and our  
11 local representatives.

12 All 14 of the University partners of the  
13 higher education partnership have Civic in college  
14 organizations. Those University partners our Alma  
15 maters of Governor Kay Ivey and the six of the  
16 Senators who support the bill. For example, for  
17 college organization of the student or Student  
18 Government Association, Sigma Nu or Alpha Gamma Delta  
19 sets up at the student center to help students --  
20 other students fill out their absentee ballot  
21 applications. Should the students in organization --  
22 organization be charged with a crime.

1           If an elderly person is disabled,  
2           therefore he gives college students gas money for  
3           absentee ballot assistance. Would you feel justified  
4           of the student was charged with a felony? Could you  
5           feel honorable knowing that students from your alma  
6           mater were arrested for a law you passed? Also how  
7           would you regain the trust of your alma mater  
8           students and faculty?

9           Finally as a result of students being  
10          arrested for helping with absentee ballots, would  
11          alumni and corporate funding decline for these  
12          universities? In passing, SB1 will dismantle the  
13          cautiousness of our constitutional rights as voters.  
14          Thank you.

15                 SENATOR TOM BUTLER: Thank you, Miss  
16          Benson.

17                 SENATOR TOM BUTLER: Travis Jackson?

18                 TRAVIS JACKSON: Thank you all for the  
19          opportunity to speak. My name is Travis Jackson. I am  
20          a black voters matter advocate who volunteers with  
21          Roll Into the Polls, which is a group of like-minded  
22          people transporting voters to their accurate voting



1 polls. And I'm also an Iraq veteran.

2 Many government officials are so  
3 determined to send our state back to 1924 when it is  
4 now 2024. When Jim Crow laws like black holds were  
5 still in existence. Black holds were racially fueled  
6 on policies exercise and confederate states like  
7 Alabama in 1865. The sole purpose was to uphold white  
8 supremacy by taking away their rights to vote from  
9 African-American families.

10 Senate bill 1 is just that. It is a  
11 modern-day black hold. It is a fact many individuals  
12 with disabilities exercising their right to vote  
13 through absentee ballot. If this bill becomes law,  
14 then they will put other lives in jeopardy. If  
15 someone is paralyzed and they asked for someone to  
16 retrieve that absentee ballot, they will be charged  
17 with a Class A misdemeanor. SB1 also criminalizes  
18 people who receive funds. Example, if a pregnant  
19 person, especially someone who's within their second  
20 and third trimester provides gas money to their non-  
21 relative neighbor for issue or acquiring an absentee  
22 ballot, then they will both be charged with a felony.

1 Make that make sense.

2 If this authoritarianism bill becomes law  
3 then there will be an increase of voter suppression,  
4 such as heavy police forces at several voting pole  
5 locations. Taking away someone's civil rights or  
6 requests for their voter assistant, expresses the  
7 highest form of human indecency. Therefore, I  
8 strongly plead for the committee members to oppose  
9 Senate Bill 1, just like I do. Thank you for your  
10 consideration of my time.

11 SENATOR TOM BUTLER: Barbara Manuel?

12 BARBARA MANUEL: Thank you. Good afternoon.  
13 My name is Barbara Manuel as stated. I am the  
14 affiliate president of the National Federation of the  
15 Blind of Alabama. I'm here once again to express  
16 opposition to Senate Bill 1.

17 Basically, we want everyone to know that  
18 we are against this bill. It states currently that  
19 anyone who will assist individuals will be  
20 criminalized for providing such services. Of course  
21 currently the bill that you all have presented has  
22 some provisions in there. Those provisions have not

1     been stated clearly how this is going to take place  
2     and we just need some clear definitions of how we can  
3     participate in one of America's greatest rights.

4             We know that if an individual assist us,  
5     take just as has been stated maybe give someone  
6     something, monetary or gas or maybe a meal,  
7     individuals not only disabled individuals. Every  
8     individual had -- runs a possibility of being  
9     criminalized just performing one of Alabama's  
10    hospitalities, which is showing appreciation.

11            Of course, most all of our Southern  
12    states, we realize hospitality is within our -- what  
13    we are defined to be. This bill does not exemplify  
14    who we are. We do not want to be minimized from  
15    casting our vote. Whether we're disabled or, quote  
16    unquote, normal. We want to be able to cast votes as  
17    any other individual and able to assist someone who  
18    needs the assistance prior to an individual assisting  
19    someone. They are qualified as a legal citizen, but  
20    once this take place, they stand the possibility of  
21    being criminalized. Thanks so much.

22            SENATOR TOM BUTLER: Thank you, Ms. Manuel.

1 Roland Grady? Rolanda?

2 ROLAND GRADY: Roland. Good afternoon. My  
3 name is Roland Grady and I am an Andrew Goodman  
4 Foundation Ambassador at the University of Alabama's  
5 Chapter of Vote Everywhere.

6 The Andrew Goodman Foundation is a  
7 National Organization that empowers young people to  
8 initiate and sustain creative, effective social  
9 actions that advanced civic engagement. At the  
10 University of Alabama, students come from all of  
11 Alabama's 67 counties. UA does not offer election day  
12 off which makes traveling home to vote incredibly  
13 difficult. As result students on Election Day are  
14 left to navigate the absentee ballot process.

15 To vote by absentee ballot, students must  
16 fill out and mail an application as well as provide a  
17 copy of a photo ID. Once students are approved after  
18 submitting their application, they will still need to  
19 fill out their absentee ballot and mail it back home.  
20 For many students who are juggling extracurriculars,  
21 class and work, this process can be confusing and  
22 daunting, but Everywhere came to help this void and

1 offer support to peers who are struggling to  
2 understand the absent application process and  
3 deadlines.

4 We are completely nonpartisan with the  
5 goal to help ensure that every student is able to  
6 make their voice heard. We do not assist students in  
7 completing or returning their absentee ballots, but  
8 we do actively work to educate and support our  
9 students in learning to value and act on their right  
10 to vote. Some of these efforts include providing  
11 assistance in determining how our in-state and out-  
12 of-state campus members can vote by absentee ballot.

13 A resource we offer for this is Turbo  
14 Boat, a non-partisan online service which helps  
15 voters on all 50 states and Washington D.C. access  
16 voting guides, alerts and real-time help they need to  
17 vote in every election. Since many of our students  
18 are not from Tuscaloosa and continue to vote in their  
19 hometowns, Turbo Vote provides critical resources to  
20 help them navigate the absentee ballot system,  
21 specifically with the regulations of where they're  
22 from.

1           With our contract of Turbo Vote, they send  
2           any member of our community who signs up an  
3           application for an absentee ballot. They include the  
4           application with a stamped envelope, pre-addressed to  
5           the appropriate official for where they are  
6           registered. It is up to the individual who receives  
7           these to complete the application and mail it in, but  
8           if requested Turbo Vote can still continue to send  
9           reminders via text and email to alert them to  
10          deadlines and applications for the actual ballot to  
11          be received.

12           SENATOR TOM BUTLER: Ms. Grady, two minutes  
13          is up.

14           ROLAND GRADY: Okay. Thank you.

15           SENATOR TOM BUTLER: Thank you. Betty  
16          McShannon (phonetic)? Shannon?

17           BETTY MCSHANNON: Good afternoon. My name  
18          again is Betty McShannon. I'm here with the League of  
19          Women Voters of Mobile. I'm the voter services chair.  
20          I see SB1 as a scare tactic, misinformation and a  
21          return to tactics that denied minorities access to  
22          the vote. Things that -- things have changed

1 significantly. There is -- there -- the possibility  
2 of ballot harvesting does not exist in the 21st  
3 century. There's no documentation to that fact.

4 Thank God for technology reports of  
5 tampering with votes if an unproved and deceitful  
6 tactic to scare citizens. In 2020 when the Democratic  
7 party was successful and cries got louder, the  
8 accusations were more ridiculous. There is no proof.  
9 None. No visible studies providing the existence of  
10 voter fraud in any way shape or form.

11 SB1 is a ludicrous accusation and fear  
12 tactic to impede absentee voting. Those unable to  
13 make it to the polls need help with casting and  
14 absentee ballot. From the physically disabled  
15 unavailable -- unable to make it to the polls to  
16 those without adequate transportation, students and  
17 poor folk. You are effectively threatening  
18 nonpartisan citizens willing to help the least of  
19 those.

20 SENATOR TOM BUTLER: Thank you. Mr. Percy  
21 Garrett?

22 PERCY GARRETT: All right. Good afternoon.

1 My name is Percy Garrett from Dothan, Alabama. And I  
2 salute the Senator from Coleman. A man of many good  
3 things, businessman politician and called several  
4 terms and now serving me -- serving us. I salute you  
5 for your service. Although I think what you're  
6 serving us today is tragic. This bill is on the third  
7 go around. Last year was 209. This year was is  
8 (inaudible).

9 I've come today to plead with you to stop  
10 this bill yourself because it's a suppressive deal.  
11 It hurts those who respect you and look up to you.  
12 Sometimes I think we -- we strain on that. That's why  
13 I came. I think we can do better. I think we can  
14 serve those who vote for you. We vote for you because  
15 we believe in you.

16 So I'm not coming to fight. I'm coming to  
17 make a request, please. It's beyond that nothing good  
18 for anybody. Please stop it.

19 SENATOR TOM BUTLER: Cathy Jones?

20 SECRETARY: One second. All right.

21 CATHY JONES: Thank you. Good afternoon. My  
22 name is Cathy Jones and I live in Huntsville. And as



1 a president of the League of Women Voters of Alabama,  
2 I am so honored to represent passionate volunteers  
3 from across the state who are supporting citizens and  
4 helping them get ready to vote. I also am honored to  
5 represent League members across the state who have  
6 disabilities. One-third of Alabamians are disabled.

7 It would -- they would be harmed by this  
8 bill and not being able to choose to sister of their  
9 choice -- sister of their choice when they're casting  
10 their ballot, which is a federally protected law. I  
11 realized that you've got an amendment or substitute  
12 here, but -- but just wanted to say for the current  
13 SB1, as it states here, and we'll look at the  
14 substitute, we are concerned.

15 The league helps voters by providing voter  
16 registration, polling place checks, appropriate  
17 ballot application giving them the correct one for  
18 their county, giving copies of IDs, even double-  
19 checking because there's so many ways to have your  
20 vote not count.

21 Across the state we are one of many Civic  
22 organizations that provide help, as well as

1 caregivers, nurses, church members, and school  
2 administrators, teachers and students are all  
3 providing assistance to people who vote and this --  
4 we are explaining a fundamentally confusing and  
5 error-prone process and we fill a gap that the  
6 elections officials cannot fill. They work their  
7 business hours. We're there when they're not working.

8 SB1 is extremely harmful and it will  
9 criminalize everyday voters who are asking friends  
10 for help and asking any friend or volunteer who  
11 responds would also be guilty of a crime and if any  
12 money like gas money is offered to pay for  
13 transportation and if it's accepted, then you're  
14 looking at a Class C or B or C felony, which would  
15 have harsh penalties equivalent to manslaughter in  
16 the state of Alabama, which is not -- it is unfair.  
17 All right. Thank you.

18 FEMALE SPEAKER 1: Good afternoon,  
19 Senators. I serve congregations in both Birmingham  
20 and Tuscaloosa. And as clergy, one of the values of  
21 my faith tradition states that we promote the  
22 Democratic process both in our congregations and in

1 society at large. Protecting and defending our  
2 democracy is part of our religious beliefs.

3 While I would never tell anyone how to  
4 vote, it is my religious obligation to ensure that my  
5 folks have access to their ballots and since our  
6 sanctuary is a polling place, to ensure that every  
7 citizen of Alabama has a clear and easy path to  
8 voting. SB1 would inhibit access to voting and  
9 inhibits the religious liberties of my people. I pray  
10 that you will honor the importance of the voice of  
11 each citizen of Alabama and allow them to vote for  
12 their leaders and their religious values. Please  
13 reject SB1.

14 KYLIE KERR: Good afternoon. My name is  
15 Kylie Kerr (phonetic). I'm a resident of and a public  
16 school teacher in Shelby County. I am here because my  
17 students are students with individualized education  
18 plans. They are students with IEPs. They have  
19 specific learning disabilities. Autism, ADHD and they  
20 fall under one of the 13 protected categories under  
21 the Individuals with Disabilities Education Act.

22 My students have every right to vote, but

1 my students with executive functioning disorders, my  
2 students who may never be able to physically drive  
3 themselves, even though they are protected under part  
4 of this substitution, they are still at risk because  
5 I am not one of these protected people that could  
6 help them. Who is to say that by making sure my  
7 student as they get older fills out the form  
8 correctly? Because I pre filled it out for them with  
9 their address that is given to me, that I am not  
10 committing a felony. If their parents many of whom  
11 are registered voters and your constituents as well  
12 need assistance themselves due to disability and as  
13 many others have said, the disabled in our country  
14 are the majority, minority. Any of us could become  
15 them at any time, including my 25-year-old younger  
16 sister who became a legally blind sitting in class at  
17 age 17, who is no longer allowed to drive do to a  
18 freak accident. I am a protected person under SB1 for  
19 my sister. I am not for my students because I cannot  
20 help them in the ways they may need it most.

21 Students with occupational therapy needs  
22 physical therapy needs are not protected under this

1 in the same way as others because they are not  
2 illiterate. They are not deaf. They are not blind and  
3 they are not considered invalid in an outdated term.  
4 My students and my sisters deserve better. SB1 does  
5 not protect them, it harms them. Thank you.

6 SENATOR TOM BUTLER: Brian Lords  
7 (phonetic)?

8 BRIAN LORDS: Thank you. My name is Brian  
9 Lords. I'm a resident of Limestone County and thank  
10 you for let me address the committee today. I've  
11 assisted many voters that need assistance with the  
12 absentee voting process. Many of these people are  
13 elderly, disabled or both. Many of them are  
14 economically challenged. They have no internet. They  
15 have no way to copy an ID that needs to accomplish --  
16 to accompany the absentee application.

17 When it comes time to the application, I  
18 have provided them with copies of the application but  
19 with nothing pre-filled and I make copies of their  
20 ID. When it comes time to vote, I've assisted with  
21 the completion of the affidavit -- affidavit  
22 envelope, which can be very confusing. I do this for

1 free and consider it a community service to allow  
2 everyone a chance to exercise one of their most basic  
3 rights, the right to vote.

4 I request that anything be done with SB1  
5 will make sure that nothing takes away my ability to  
6 provide the support. Thank you.

7 SENATOR TOM BUTLER: (Inaudible).

8 SENATOR GUDGER: First of all, I want to  
9 say thank you to every one of the speaker's that got  
10 up today and representing here. I've been a City  
11 Councilmember in politics for 21 years. And when you  
12 walk into a room and there's no one there or cares  
13 about what happens, the Democratic process losses and  
14 thank you for being here. Even if you're opposing  
15 this bill, I appreciate you taking time to be here.

16 My goal of this bill and this substitute  
17 is to realize everything you just heard, make the  
18 changes from the original bill into this substitute,  
19 which is what's happened. 95% of everything they just  
20 said is covered in this substitute. My only fault is  
21 that I can't process that bill until we got into  
22 session or you would have seen this bill beforehand.

1           Having said that, I have met with everyone  
2     that has opposed, that is called me and said I want  
3     to meet with you, I've met with them. Anybody that  
4     said I'm for this bill, I want to meet with you, I've  
5     met with him. I've done my due diligence all over the  
6     state to feel like this bill is fair and the key is  
7     that we want everybody that wants to be able to vote  
8     to have access, to make sure it's secure vote and  
9     that they're able to vote.

10           The one thing that is the bottom line is  
11     that there's illegal activities that are stealing  
12     elections and there was some talk earlier that's not  
13     happening. I have evidence-based facts and data that  
14     show you exactly which counties it's happening in. On  
15     average were three to three and a half percent  
16     absentee ballots. There's a few counties that are  
17     over 20 percent. That means one out of every five  
18     ballots cast is an absentee ballot. That's -- there's  
19     no way that's possible, right? Having said that  
20     anyway, I've got the data. We can show that from  
21     every County throughout the state. From that, it is  
22     happening. This substitutes handles the issues that

1 we heard today. I feel like they have. I appreciate  
2 the opportunity for the next meeting to come back and  
3 forth and talk more about this bill, but until then,  
4 Mr. Chairman, thank you for your time.

5 SENATOR TOM BUTLER: Well, we have one --  
6 one question.

7 SENATOR GUDGER: Please.

8 SENATOR TOM BUTLER: Two questions.

9 SENATOR MERIKA COLEMAN: Thank you. Thank  
10 you. Mr. Chairman. You know and I -- I guess I  
11 appreciate that the chair -- the gentleman for  
12 attempting to remedy some of the problems with the  
13 original version of the bill, but they're definitely  
14 not all remedied.

15 I was appointed some years ago by the  
16 former Secretary of State John Merrill on the voter  
17 fraud reform task force. I was on it. Think Senator  
18 Singleton was on it. We had -- it was Democrats,  
19 Republicans, ACLU and an Eagle Forum. So you have  
20 this cross-section of folks that were on this  
21 committee. And when I told Secretary Merrill at that  
22 time was that I mean, I don't mind about serving as



1 long as we're not trying to fall into the trap of  
2 what was going on federally and we stuck to what our  
3 goal was. And when the research was -- I don't know  
4 what you have Senator. I don't know. I mean your  
5 office is down the hall from mine. I would welcome  
6 looking at it. But for those of us that were on that  
7 committee, I think from like 1986, maybe there were  
8 six cases and there was the cases were on the local  
9 government end when it came to absentees, there was  
10 not this large-scale fraud that at the national level  
11 the national media and some one of those three-letter  
12 news stations kept talking about and so, you know,  
13 that was my challenge there with the misinformation.  
14 But even with this bill itself, I told this same  
15 story all three years. I told it in the house on  
16 Judiciary and now here in this particular committee.  
17 Even under the version of the bill you have right  
18 now, my great Aunt Olivia Bizzelle (phonetic), not my  
19 aunt, my great-aunt who now has stepped into the role  
20 of my grandmother since my grandmother has passed, I  
21 go to my great aunt Olivia Bizzelle's home to help  
22 her with her absentee ballot. If I help refill it or

1 when we complete the application itself, if she says  
2 to me, which would not be uncommon for her to say,  
3 baby, can I give you two dollars for your time or for  
4 your gas, both of us according to this piece of  
5 legislation have committed a crime and there's  
6 something wrong with that.

7 So, again, if it doesn't fix that, it  
8 hasn't remedied the major issues. And again there  
9 have been so many times in this legislative body in  
10 the years that I've served, I've asked the question,  
11 why are we doing this and then I'll end up saying  
12 this piece of legislation is not worth the piece of  
13 paper that is written on.

14 Another one of those situations where we  
15 just have not had this widespread on voter fraud like  
16 what the national -- and I just hate when we in,  
17 Alabama get caught up in that as well. So my question  
18 to you then, because I said I had a question, is,  
19 with under the scenario that I gave you, have me and  
20 my aunt Olivia Bizzelle committed a crime?

21 SENATOR GUDGER: The words knowingly  
22 distribute our excuse me knowingly and willfully

1 receive payment or knowingly pay someone, that's the  
2 intent and so I'm not an attorney.

3 SENATOR MERIKA COLEMAN: And I am.

4 SENATOR GUDGER: I know. That is --

5 SENATOR MERIKA COLEMAN: And I would  
6 knowingly.

7 SENATOR GUDGER: The men's (inaudible) is  
8 what they're calling that, right? Which is the term  
9 intent. And so that intent and this bill is meant for  
10 ballot harvesting. Now, you're not ballot harvesting  
11 because you've got that one application turned down.

12 SENATOR MERIKA COLEMAN: You -- but you  
13 have to show me -- and I hear you. And again, you're  
14 a friend.

15 SENATOR GUDGER: I understand.

16 SENATOR MERIKA COLEMAN: But I still  
17 wouldn't want to know in that particular situation,  
18 because you said that this is this is honing in on  
19 ballot harvesting, I just don't see that. Since the  
20 Republicans done taken over in 2010. You know, we've  
21 had so many pieces of legislation that had unintended  
22 consequences. Let this not be another one. That's all

1 I'm saying. Just let it not be another one.

2 SECRETARY: Ms. Chairman? Ms. Chairman?

3 SENATOR COLEMAN-MADISON: And I'll try to  
4 be brief. Thank you, sir. Thank you. Thank you, sir.  
5 Senator Gudger, I agree with my colleague. I'm not  
6 understanding ballot harvesting. Right now I think  
7 federal law says if you need assistance at the poll,  
8 you have a right to have anybody of your choosing to  
9 assist you. That's in voting. What is the problem  
10 with helping somebody to fill out an application or  
11 even filling out the application? It is going to go  
12 to the board of registrar's office who's going to  
13 check it. And if something is wrong is going to be  
14 thrown out.

15 I mean you're just filling out helping  
16 them to get the application. The application is sent  
17 to the voter. Again, it goes back to the board of  
18 registrar's to check it. Yeah. I know you say  
19 relatives. Everybody don't trust their relatives. And  
20 I mean really and I say this because there may be a  
21 young person that living with you and you say mail  
22 this form and they go and by whatever they're doing.

1 It may not ever get mailed. I've had that situation  
2 to happen because I've helped people with the filling  
3 out the applications and everything and they don't  
4 trust everybody. These little old ladies who work  
5 with certain groups, they got this call chain. They  
6 calling, you know, well, they'd -- she's coming.  
7 She's on her way to help. But this ballot harvesting  
8 doesn't make any sense because the ballot is not sent  
9 back to the person who is helping them. It is sent  
10 back to the individual person and they can mail it  
11 back.

12 Now somebody mentioned about the  
13 envelopes. Confusing. I don't know if you've ever  
14 gone to your probates office or your a clerk's office  
15 and watched them count those ballots and they go  
16 through it. First of all, they do open it and if it's  
17 in the wrong envelope, it's not going to be counted.  
18 They're going to throw it out. You -- and I am seeing  
19 it from the ground up. They're going to throw it out.  
20 So all I'm saying is that the ballot harvesting just  
21 doesn't fly.

22 The other things the reason why you may

1 find numbers higher on absentee ballot and we all not  
2 to be trying to discourage people from voting whether  
3 it's absentee ballot is there for a reason. We need  
4 to be -- I wish more people can vote because stand in  
5 a long line, but you have people who live in rural  
6 counties who have to work and they live long  
7 distances from their home. They can't take off of  
8 their job on Election Day to go and vote. So many of  
9 them vote absentee ballots and you still have in  
10 spite of education, we still have a lot of people  
11 that are don't read well and they need the  
12 assistance.

13 So all I'm saying is that -- I don't want  
14 to see unintended consequences. I don't want to see  
15 the -- the election process abused and misused. You  
16 will always have some rotten apples in the barrel,  
17 but it is not a pervasive kind of thing. And wherever  
18 you find the criminal convicted of these kinds of  
19 crimes, let's go there. Don't call me into the  
20 principal's office for something Miss Jones did. Get  
21 Ms. Jones. So like if somebody's violating this law,  
22 get them. Don't penalize these people who are sitting

1 here. And as you can see this is -- this has a great  
2 interest. This is going to be a ripple effect from  
3 one end of the state to the other. I want to thank  
4 everybody for coming.

5 SENATOR ROBERT STEWART: Mr. Chairman, can  
6 I be recognized?

7 SENATOR TOM BUTLER: Senator Stewart.

8 SENATOR ROBERT STEWART: I just -- I thank  
9 you for this opportunity Mr. Chairman to speak and I  
10 want to just express my grave concerned because I  
11 represented the black belt as you know, and Selma,  
12 Alabama is my hometown and Senator Coleman alluded to  
13 the hurdles that people face in the black belt and  
14 other rural communities voting.

15 When you talk about GLTB organizations, we  
16 need more people more engaged in the voting process  
17 now more than ever, especially when we look at the  
18 voter turnout is dismal. And this -- this legislation  
19 doesn't warrant anyone to have a felony. We as a body  
20 need to be serious, get serious about prisons  
21 overcrowding and that is -- that's not an unintended  
22 consequence. This is intentional. And -- just clap.

1 It's okay to clap. And these GLT organizations like  
2 Greater Birmingham Ministries, like Black Voters  
3 Matter, they are mutual aid societies. They are  
4 helping impoverished people and the access -- the  
5 lack of access to transportation is a huge hurdle. We  
6 don't have public transportation in mass in this  
7 state and let's not begin to talk about the distances  
8 that people have to drive to their polling precincts.

9 So I would ask you to reconsider the  
10 felony aspect of this legislation. Thank you.

11 SENATOR TOM BUTLER: Thank you, sir.

12 SENATOR GUDGER: May outside one more  
13 thing, Chairman and I'll head out. I believe that a  
14 lot of what all three of our Democratic senators just  
15 said was assistant and I just want to read for the  
16 crowd one paragraph that's on page 4, line 89 through  
17 94 to make sure that everybody understands, I agree.  
18 We need assistance and people need assistance, right?  
19 But this states so you're able to.

20 Any applicant may receive assistance in  
21 filling out the application that he or she desires,  
22 that each application shall be mainly signed by the



1 applicant and, if he or she signs by the mark, the  
2 application shall also include the name of the  
3 witness and the witness' signature.

4 So again, a lot of what you're talking  
5 about we heard. We put back into this bill. I'm going  
6 to figure out a way so you can see the substitute  
7 because it's changed from the original version, which  
8 I think is why a lot of you are here today. That's  
9 not voting on it. I'm not able to do that. So I will  
10 figure out a way to do that, but I would love to  
11 distribute so that you're able to see this to make  
12 sure it's not want organizations and people are able  
13 to get to the vote and polls. Mr. Chairman, that's  
14 all I got. Thank you so much and committee. Thank  
15 you.

16 SENATOR TOM BUTLER: Okay. We're going to -  
17 - do you have something?

18 SENATOR GERALD ALLEN: No. I'm ready.

19 SENATOR TOM BUTLER: Okay. On Senate Bill  
20 1. Secretary, call the roll.

21 SENATOR COLEMAN-MADISON: Mr. Chairman, are  
22 we -- taking a vote on the --

1           SENATOR TOM BUTLER: The adoption is we had  
2 a -- adoption of the (inaudible)?

3           SECRETARY: Roll call, please. (Inaudible).

4           MALE SPEAKER 1: Aye.

5           SECRETARY: (Inaudible).

6           MALE SPEAKER 2: Aye.

7           SECRETARY: Mr. Elliott?

8           SENATOR CHRIS ELLIOTT: Aye.

9           SECRETARY: Mr. (Inaudible)?

10          MALE SPEAKER 3: Aye.

11          SECRETARY: Mr. Roberts?

12          SENATOR DAN ROBERTS: Aye.

13          SECRETARY: Senator (Inaudible).

14          MALE SPEAKER 4: Aye.

15          SECRETARY: Senator Kelley?

16          SENATOR KEITH KELLEY: Aye.

17          SECRETARY: Sorry. Senator Coleman-Madison?

18          SENATOR COLEMAN-MADISON: No.

19          SECRETARY: Senator Merika Coleman?

20          SENATOR MERIKA COLEMAN: No.

21          SECRETARY: Senator Stewart?

22          SENATOR ROBERT STEWART: No.

1 SECRETARY: Senator Butler?

2 SENATOR TOM BUTLER: Aye. Seven ayes and  
3 three nays. And bills given favorable report.

4 SENATOR CHRIS ELLIOTT: Mr. Chairman -- if  
5 we adopt so that bill one is substituted.

6 SECRETARY: Okay. Who said that?

7 SENATOR MERIKA COLEMAN: Mr. Chair -- Mr.  
8 Chairman. Yeah. I haven't -- we -- we -- even a  
9 sponsor of the bill said we were not going to be  
10 voting on this bill until next week. That's what was  
11 just told to the public.

12 SENATOR TOM BUTLER: We're going to vote on  
13 the bill --

14 SENATOR COLEMAN-MADISON: Did we not just  
15 tell the people that?

16 SENATOR MERIKA COLEMAN: You told the  
17 people that though, Mr. Chairman.

18 SENATOR COLEMAN-MADISON: It's all right.  
19 It is probably going to change.

20 SENATOR TOM BUTLER: Since you want to have  
21 --

22 MALE SPEAKER 5: Can't hear you.

1           SENATOR MERIKA COLEMAN: They can't hear  
2 you, Mr. Chair is what they're saying. That's what  
3 they're saying. They can't hear you.

4           SENATOR TOM BUTLER: Seven of three bills  
5 give in favor report.

6           SENATOR COLEMAN-MADISON: But what are they  
7 billing, Mr. Chairman?

8           SENATOR MERIKA COLEMAN: Mr. Chairman, I  
9 really just think -- and I know we have to be in  
10 session at 3:00 and I recognized --

11          SENATOR TOM BUTLER: Hold on. Just getting  
12 this paperwork in order. Go ahead.

13          SENATOR MERIKA COLEMAN: Mr. Chairman, we  
14 you know, it has culture normally, you know, we get a  
15 substitute on the day of that we get an opportunity  
16 to digest the bill and that's what I thought we were  
17 going to get a chance to do today because that's how  
18 it was presented to the public. Like this is  
19 streaming live for people that all over the state  
20 heard at the beginning that we were not going to vote  
21 on this bill. That it would give us an opportunity  
22 for all of us to look at the bill but right now,

1 we're being asked to vote on a bill that we have not  
2 even had an opportunity to digest.

3 SENATOR TOM BUTLER: We didn't adopt the  
4 substitute, I don't believe? Did we?

5 SENATOR MERIKA COLEMAN: And we just did  
6 that. Y'all did it anyway. I didn't vote for it.

7 SENATOR CHRIS ELLIOTT: So, Mr. Chairman,  
8 the motion is to give the bill a favor report and I  
9 think you got to --

10 SENATOR TOM BUTLER: Is substituted.

11 SENATOR CHRIS ELLIOTT: As substituted and  
12 it's got a first and a second. And it's ready.

13 SENATOR TOM BUTLER: Senator Grudger --

14 SENATOR MERIKA COLEMAN: Mr. Chairman, I  
15 would tell you take control of your committee because  
16 he's not the chair committee.

17 SENATOR TOM BUTLER: Hold on one second.  
18 Senator Gudger spoke on the bill initially. He  
19 wrapped up at the final vote, final conversation. We  
20 had 12 people speak against the bill. One person  
21 spoke for it. Chairman wants to have a vote today on  
22 this bill because we've heard the public.

1                   Now, it's time for Senator Gudger to take  
2                   consideration in all of you on the committee  
3                   consideration of what you've heard and be prepared to  
4                   go to the floor with amendments or however you want  
5                   to do it. So I'd like to call for a vote today in  
6                   this committee on --

7                   SENATOR MERIKA COLEMAN: I am saying --

8                   SENATOR COLEMAN-MADISON: Mr. Chairman, if  
9                   I may -- just -- just --

10                  SENATOR TOM BUTLER: Hold on.

11                  SENATOR COLEMAN-MADISON: May I just say  
12                  something? May I just make one comment? I just would  
13                  like because that's why I said with Senator Gudger  
14                  because I wanted to make sure just this last thing  
15                  that he brought up on page four that anybody can  
16                  receive assistance from anybody. If taken away you  
17                  got to be a family person. But all I'm saying is that  
18                  I just wish people would have the opportunity. We  
19                  just got it. So we're trying to read as you're going  
20                  through. We like you, but I think that people need to  
21                  read it and understand it.

22                  I have a strange feeling that this bill

1 will be on the agenda tomorrow, which means that --  
2 which means that citizens will not have had an  
3 opportunity to look at this to -- to take it back and  
4 digest it, to get back to your constituents and  
5 people that you represent and try to help. I retired  
6 from City of Birmingham as ADA Compliant. So I do  
7 understand disabilities and barriers, but I want us  
8 to understand because voting is a fundamental right  
9 and we don't want Alabama to be accused of denying  
10 anybody, but I do want people to read the bill and  
11 understand what the bill says and have an opportunity  
12 if you so desires, Senator Gudger and said to offer  
13 the amendments and to get somebody to sponsor  
14 amendments, but I don't think you going to have time  
15 to do tomorrow.

16 SENATOR TOM BUTLER: Senator Gudger?

17 FEMALE SPEAKER 2: We can't hear you,  
18 Senator.

19 SENATOR TOM BUTLER: Okay. Call the roll.  
20 Call the roll. Go ahead.

21 SECRETARY: Senator Elliot?

22 SENATOR CHRIS ELLIOTT: Aye.

1 SECRETARY: Senator Orr?

2 SENATOR ARTHUR ORR: Aye.

3 SECRETARY: Senator Allen?

4 SENATOR GERALD ALLEN: Aye.

5 SECRETARY: Senator Albritton?

6 SENATOR GREG ALBRITTON: Aye.

7 SECRETARY: Senator Roberts?

8 SENATOR DAN ROBERTS: Aye.

9 SECRETARY: Senator Bell?

10 SENATOR LANCE BELL: Aye.

11 SECRETARY CALDWELL: Senator Kelley?

12 SENATOR KEITH KELLEY: Aye.

13 SECRETARY: Senator Coleman-Madison?

14 SENATOR COLEMAN-MADISON: No.

15 SECRETARY: Senator Merika Coleman?

16 SENATOR MERIKA COLEMAN: No.

17 SECRETARY CALDWELL: Senator Stewart?

18 SENATOR ROBERT STEWART: No.

19 SECRETARY: Senator Butler?

20 SENATOR TOM BUTLER: Aye.

21 SECRETARY: All right. Who made the motion?

22 Who made the motion? Elliott will be second.



1                   SENATOR TOM BUTLER: Four (inaudible).  
2                   Okay. Senator Chairman? To call Senate Bill 39. Dam  
3                   safety bill.

4                   SENATOR CHAMBLISS: Mr. Chairman, I thank  
5                   you for your indulgence. We can get into another  
6                   committee. This bill is a follow-up to a bill that we  
7                   passed last session. I had the bill applying to state  
8                   government at as well. But there were some issues  
9                   that were brought up by DCNR. We've worked over those  
10                  issues over this year. This is drafted by DCNR to  
11                  apply to DCNR and agreed upon so with that if there  
12                  any questions, I'd be happy to answer then.

13                  SENATOR TOM BUTLER: Mr. Chairman, I make a  
14                  motion that we adopt the amendment.

15                  SECRETARY: I am ready.

16                  SENATOR TOM BUTLER: Hold on just a second.  
17                  Senator Chambliss?

18                  SENATOR CHAMBLISS: Yes. Do you want me to  
19                  answer a question?

20                  SENATOR TOM BUTLER: Yeah. Who's question?

21                  SENATOR CHAMBLISS: Currently in state law  
22                  there is no provision or process for state

1 governments to the state government to inspect and  
2 four dams, inspect their dams and then what they do  
3 with that information and alerting their local EMAs.  
4 This lines out that process for them to do.

5 SENATOR COLEMAN-MADISON: I'll second it.

6 SENATOR CHAMBLISS: We do have a technical  
7 Amendment change in 2024 to 2023. There was an error  
8 in there.

9 SECRETARY: You all have that.

10 SENATOR LANCE BELL: I'll make a motion  
11 that we --

12 (Whereupon, committee speaks amongst  
13 themselves).

14 SENATOR CHAMBLISS: I think there's a  
15 question. Just for clarity the amendment corrects an  
16 error. It referenced Act 2024 dash whatever. It  
17 corrects it to 2023 dash.

18 SENATOR TOM BUTLER: That's an amendment to  
19 Senate Bill 39 by Senator Roberts.

20 SECRETARY: I got Roberts and Bell.

21 SENATOR COLEMAN-MADISON: I am second.  
22 Coleman-Madison amendment adoption.

1 SENATOR TOM BUTLER: All in favor say aye?

2 ALL: Aye.

3 SENATOR TOM BUTLER: All opposed say, nay.

4 Okay. Call the roll on the Senate Bill.

5 SECRETARY: 39 had ended.

6 SENATOR TOM BUTLER: Yeah.

7 SENATOR: Okay. Senator Butler?

8 SENATOR TOM BUTLER: Aye.

9 SENATOR: Senator Elliott?

10 SENATOR CHRIS ELLIOTT: Aye.

11 SECRETARY: Senator Orr?

12 SENATOR ARTHUR ORR: No.

13 SECRETARY: No? Did you say anything? Oh,

14 he didn't say anything. Okay.

15 SECRETARY: Senator Allen?

16 SENATOR GERALD ALLEN: Aye.

17 SECRETARY: Senator Albritton?

18 SENATOR GREG ALBRITTON: Aye.

19 SECRETARY: Senator Roberts?

20 SENATOR DAN ROBERTS: Aye.

21 SECRETARY: Senator Bell?

22 SENATOR LANCE BELL: Aye.

1 SECRETARY CALDWELL: Senator Kelley?

2 SENATOR KEITH KELLEY: Aye.

3 SECRETARY: Senator Coleman-Madison?

4 SENATOR COLEMAN-MADISON: Aye.

5 SECRETARY: Senator Merika Coleman?

6 SENATOR MERIKA COLEMAN: Aye.

7 SECRETARY CALDWELL: Senator Stewart?

8 SENATOR ROBERT STEWART: Aye.

9 SECRETARY: Nine yeses. Nine passing.

10 SENATOR ROBERT STEWART: You didn't vote  
11 for me but it's an aye.

12 SECRETARY: Robert Stewart. I got it.

13 SENATOR TOM BUTLER: Nine ayes, bill in  
14 favor of report.

15 SENATOR CHAMBLISS: Thank you, Mr. Chairman  
16 and committee.

17 SENATOR TOM BUTLER: You ready on your  
18 bill? Okay, Senator Allen's bill, Senate bill four.

19 SENATOR GERALD ALLEN: Thank you, Mr.  
20 Chairman and committee. Many of you may remember a  
21 2001 we were in a special session down here when --  
22 when a tragedy happened when the Twin Towers was hit

1 and -- and this this bill here. This is a genesis of  
2 it. This bill will provide that up to 9/11  
3 remembrance freedom flag may be displayed on any  
4 public owned property or premise and this bill would  
5 also provide that person who displays and unapproved  
6 flag on public owned properties and emits a  
7 misdemeanor. And so that's -- that's in essence of  
8 the violation of subsection A and is a Class C  
9 misdemeanor.

10 So Mr. Chairman, we do have an amendment.  
11 Like to go ahead and offer the amendment and that  
12 amendment bills for -- with right here. Replace line  
13 58 through 68 on page three with the following.

14 Four, the official flag of any county or  
15 municipality in this state. Five, the National League  
16 of POW/MIA family flag. And then number six is the  
17 freedom flag. Mr. Chairman, that's the that's the  
18 amendment and and I do accept that friendly  
19 amendments.

20 SENATOR TOM BUTLER: Okay.

21 SENATOR MERIKA COLEMAN: Mr. Chairman.

22 SENATOR TOM BUTLER: Senator Coleman?

1           SENATOR MERIKA COLEMAN: Is that all  
2 because someone said it included any other flag  
3 standard and signal approved? But there's you  
4 speaking of private property is that this that on  
5 there?

6           SENATOR GERALD ALLEN: Public. Public  
7 property.

8           SENATOR MERIKA COLEMAN: And control any  
9 other flag standard colors on insignia and proved by  
10 the entity and control of the property? Why don't we  
11 add that because this is vague. Can we delete that  
12 part?

13          SENATOR GERALD ALLEN: What line are you  
14 on?

15          SENATOR MERIKA COLEMAN: I am on line 67,  
16 number 11. And just leave it at the other flags that  
17 you had put on here? Because again you talking about  
18 public property and but you're not specific on number  
19 11, which leaves it open to who -- whatever.

20          SENATOR GERALD ALLEN: Okay.

21          SENATOR MERIKA COLEMAN: Or we could delete  
22 that. I'm in agreement with your amendment.

1           SENATOR GERALD ALLEN: That is -- I guess  
2       that's included in the --

3           SENATOR MERIKA COLEMAN: I'm just -- I'm  
4       asking can we take that part off because it's not --

5           SENATOR GERALD ALLEN: Yes. Line 58 through  
6       68.

7           SENATOR MERIKA COLEMAN: No. I agree with  
8       the ones that you have articulated, but on -- on your  
9       bill here in line 67 and 68, I'm saying take that off  
10      because it says any other flag standard colored is  
11      the signature, but it's just, it's vague.

12          SENATOR GERALD ALLEN: The amendment says  
13      replace line 58 through 68. Okay?

14          SENATOR MERIKA COLEMAN: And just go with  
15      the ones that you named?

16          SENATOR GERALD ALLEN: In this amendment.  
17      Yes.

18          SENATOR MERIKA COLEMAN: Okay. Thank you.

19          SENATOR TOM BUTLER: Mr. Chairman? Senator  
20      (Inaudible).

21          SENATOR GERALD ALLEN: Thank you.

22          SENATOR TOM BUTLER: All in favor of the

1 amendment, say aye.

2 ALL: Aye.

3 SENATOR TOM BUTLER: All opposed nay? The  
4 amendment is adopted, Senator Allen.

5 SENATOR GERALD ALLEN: Okay. So, I --

6 SENATOR COLEMAN-MADISON: One question,  
7 sir. Just one question. Quick question. I -- I tried  
8 to look up 'cause I don't know what the freedom flag  
9 was, but I looked it up and this is the one that I  
10 saw. Is this it?

11 SENATOR GERALD ALLEN: That's it. That's  
12 the flag.

13 SENATOR COLEMAN-MADISON: Okay.

14 SENATOR GERALD ALLEN: You got a whole  
15 package. You should have been given a package and  
16 that tells you all the details with the flag, program  
17 and so that's it. Yes, sir -- ma'am.

18 SENATOR KEITH KELLEY: Mr. Chairman?

19 SENATOR TOM BUTLER: Senator Kelley?

20 SENATOR KEITH KELLEY: Thank you, sir. I  
21 was made aware of something this morning that for  
22 example, you got some public entities that under some



1 programs that would doubt go back probably 20 to 30  
2 years for small towns to provide economic development  
3 and have some shopping centers and things of that  
4 nature. The way that I read this, is those individual  
5 businesses could not because that is publicly owned  
6 property. They could not display their own -- their  
7 own business flags and whatever they need for their  
8 business, for example, if it's a chain of grocery  
9 stores, they couldn't -- couldn't display their own  
10 company flag. That's my saw --

11 SENATOR GERALD ALLEN: I think that's  
12 covered in -- yes, I think you're fine on that but  
13 Senator Bell asked a question about the county or the  
14 city owning a piece of property, shopping facility.  
15 Right? Senator Bell.

16 SENATOR LANCE BELL: I think that's what  
17 he's asking.

18 SENATOR GERALD ALLEN: Okay. All right. If  
19 it's owned by the county then the bill says if you go  
20 to the front page on line 7, it says line seven, any  
21 public own property or prentice that they own.  
22 Premise. Yes, sir.

1           SENATOR KEITH KELLEY: Okay. The individual  
2 business is still don't own the property though, sir.

3           SENATOR COLEMAN-MADISON: That's correct.

4           SENATOR KEITH KELLEY: The tenants in those  
5 buildings, for example, if it's a grocery store, the  
6 grocery store still doesn't own the property so they  
7 can't put up their own flags for their business.  
8 Because the property itself is owned by the town or  
9 the city in this particular scene.

10          SENATOR GERALD ALLEN: Yes, sir. I  
11 understand your question.

12          SENATOR KEITH KELLEY: Yes, sir.

13          SENATOR GERALD ALLEN: I think that we need  
14 to discuss this and maybe have them on the floor. Fix  
15 it if that's -- if that's the case. I'm not certain  
16 but let's take a look at this.

17          SENATOR KEITH KELLEY: Okay.

18          SENATOR GERALD ALLEN: Okay. I will work  
19 with you on this.

20          SENATOR COLEMAN-MADISON: One question.  
21 Senator Allen, one question. On page two, line 52,  
22 the official flag of any nation or state that

1 preceded the United States or the State of Alabama in  
2 controlling any territory currently constituting the  
3 state of Alabama, you know, there were several flags  
4 are flown over of Alabama. So, I guess, I mean are we  
5 going to put Confederate flags all over the place or  
6 Spanish flag? Who else had to control over their  
7 territories? British and the French?

8 SENATOR GERALD ALLEN: Yeah.

9 SENATOR COLEMAN-MADISON: So are we going  
10 to have them flying too?

11 SENATOR GERALD ALLEN: I don't think -- I  
12 don't --

13 SENATOR COLEMAN-MADISON: Like why is this  
14 necessary? You know, Senator Allen, we had this  
15 conversation last night. You come up with these bills  
16 and I just don't know why. I don't know you may  
17 become see him at night. But your -- your smokers are  
18 like it about the freedom flag. Honoring 9/11 but  
19 then you throw all this other stuff into it. Why? Why  
20 is this necessary? I mean, we don't want everybody's  
21 flag flying here. I mean you keep saying you  
22 (inaudible).

1                   SENATOR GERALD ALLEN: Absolutely.

2                   SENATOR COLEMAN-MADISON: But now this  
3 looks like this opened up a can of worms that we just  
4 need to take this out and have just look at a clean  
5 bill to do what you want to do unless you thinking  
6 about something else. What about that?

7                   SENATOR GERALD ALLEN: No. I -- I think  
8 we've got thing with -- I think we're okay here. I  
9 really do.

10                  SENATOR COLEMAN-MADISON: I don't -- I  
11 don't think -- I don't think we are. I think -- I  
12 think this is -- line -- ohm here. I don't think this  
13 -- this -- this done because like I said based on the  
14 way this is written and looking at all the flags that  
15 are flown over Alabama, I just -- I think this is  
16 opening it up for something else.

17                  SENATOR TOM BUTLER: Senator Kelley?

18                  SENATOR KEITH KELLEY: Yes, sir. Would you  
19 consider carrying this over and list -- get this  
20 issue cleaned up because I've got two municipalities  
21 that are concerned about this and -- and it sounds  
22 like there may be some other concerns and then we can

1 get it cleaned up and get it what you want done.

2 SENATOR GERALD ALLEN: I would -- I ask Mr.  
3 Chairman since we got some folks here already for the  
4 public hearing or we can do it again next week.  
5 Whatever you -- it's your call.

6 SENATOR TOM BUTLER: Well, I'm open for a  
7 motion?

8 SENATOR MERIKA COLEMAN: He made and I  
9 second it.

10 SENATOR TOM BUTLER: Senator Kelley, you  
11 move to carry over? Senator Kelley, you move to carry  
12 over to the second?

13 SENATOR MERIKA COLEMAN: Second.

14 SENATOR TOM BUTLER: Second. Senator  
15 Coleman. All in favor say aye.

16 ALL: Aye.

17 SENATOR TOM BUTLER: All opposed nay.

18 SENATOR ROBERT STEWART: No.

19 SENATOR TOM BUTLER: Carry the bill over.

20 SENATOR MERIKA COLEMAN: Mr. Chairman?

21 SENATOR TOM BUTLER: Senate Bill 5.

22 SENATOR CHRIS ELLIOTT: Mr. Chairman in the

1 interest of time, we're scheduled going to floor on -  
2 - at 3:00. I would move we carry this bill over.

3 SENATOR TOM BUTLER: Motion to carry the  
4 bill over? Okay. All in favor say aye?

5 ALL: Aye.

6 SENATOR TOM BUTLER: Okay.

7 SENATOR GERALD ALLEN: Thank you, Mr.  
8 Chairman.

9 SENATOR MERIKA COLEMAN: Mr. Chairman, I  
10 just want to say to the gentleman too as you're  
11 preparing for next week. And I was just looking at  
12 the list of flags. What about you know, doing breast  
13 cancer awareness month and different things like that  
14 that we honor when somebody wants to fly a flag. I  
15 know my sorority or fraternity sometimes will fly  
16 something. So just kind of thinking about those  
17 things as well. And I really agree with the gentleman  
18 /gentlewoman maybe if we could -- because it's two  
19 different -- just two different things going on in  
20 this bill.

21 One portion of it is opening up and  
22 allowing a flag and the rest of the bill is being

1     punitive so nobody else can fly flags. So just FYI as  
2     we're moving forward on that bill.

3                 SENATOR TOM BUTLER: And we've carried  
4     over. Our committee's adjourned.

5                 (The recording was concluded.)

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